IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR SEMINOLE COUNTY, FLORIDA

COUNTRY WIDE HOMELOANS SERVICING LP.,

Case No.:

2009-CA-010794

Plaintiff,

V.

JENNIFER BROCHEY, et al.,

The	0	•		1	-
- 1 1	at	01	ni	10	nt
-		•	ш	Ja	$_{111}$

AFFIDAVIT OF JONAS WILLIAMS

I, JONAS WILLIAMS, on my oath, hereby declare:

- 1. I am over the age of 18 and am a resident of the state of California.
- 2. I have personal knowledge of the facts contained in this declaration and, if sworn as a witness, could testify thereto.
- 3. I am a process server in the state of California and was retained to serve process upon Marc Randazza and Jennifer Randazza, formerly Jennifer Brochey. Attached to this affidavit as Exhibit A are the two proofs of service that I issued.
- 4. Despite issuing the proof of service, I did not complete service of process upon Marc Randazza.
- 5. Despite issuing the proof of service, I did not complete service of process upon Jennifer Randazza.
- 6. I was under tremendous economic pressure when I falsely stated that I had served process upon these two individuals. I was under the impression that it would not really hurt anyone if I simply reported that I served them without doing so.
 - 7. I sincerely apologize to all parties and the Court for this error of judgment.

- 8. I have been sued in the state of California by Mr. and Mrs. Randazza for abuse of process for my false affidavits of service. I was aware of the case against me, and I was served with the complaint. I defaulted in this case because I knew the claims were true, and I was too embarrassed to face Mr. and Mrs. Randazza.
- 9. Attached as Exhibit B to this affidavit is a true and correct copy of the judgment against me. As the Court can see, I have been severely penalized for my actions.
- 10. I am now enjoined from serving process in California as a result of my actions.
- 11. I am truly sorry for this lapse in judgment, and will never make such errors again.

Signed under the pains and p	enalties of perjury this <u>3</u> day of April 2012 in
SAN DIEGO, California.	Jonas Williams
State of California	

County of San

Signed and affirmed before me on 04/03/2012 by Jonas Williams.

RAJÁA ABOLHOSN COMM. #1946426 San Diego County

State of California, County of

jams proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me

EXHIBIT A

PROVEST, LLC 4520 SEEDLING CIRCLE TAMPA, FL 33614-2400

0913679

AFFID	avit of service	
IN THE CIRCUIT COURT OFSEMUNOLE		
	COUNTY, FLORIDA	
PLAINTIFF BAC HOME LOANS SERVICING, LP FKA VS. DEFENDANT	COUNTRYWIDE HOME LOAN	S SERVICING LP
FWNIED DANG AND	A/K/A JENNIEFE BROCHEV -	
DEFENDANT TO BE SERVED:	MARC JOHN RANDAZZA	AL
CARENO		
CASE NO 59-2009-CA-010794 TYPE OF PROCESS DIVISION	(#) SUMMONS & COMPLAINT	() LIC DELICE.
51715(0)4	(x) OTHER AMENDER	COMPLAINT
Recoived this process on the 06 - 10 - 2010	7	COMPLAIR
[Screed not served the within named defendant.	at 10:00AM	
DE WICHIN named defendant,		
DATE/TIME: 766-14-2010 /2000	ADDRESS WHERE SERVED (OR ATTEMPTED)	7830 VIA CAPRI
		LA JOLLA, CA 92037 4040
(A) INDIVIDUAL SERVICE: By delivering to the wife		
(A) (NDIVIDUAL SERVICE: By delivering to the within named defendant a true delivered to the within named defendant a copy of the complaint. () SUBSTITUTE SERVICE: By leaving a true copy of this process with the complaint.	copy of this process with the date a	nd hour of service endorsed by me and and
() SUBSTITUTE SERVICE: By leaving a true copy of this process with the dots		of oncorrect by life, and, at the same time?
() SUBSTITUTE SERVICE: By leaving a true copy of this process with the date (his/her) usual place of abode, with some person residing therein who is 50 and 100 and 100 are the same person residing the same person residin	and hour of service endorsed by me	and a copy of the complaint by leaving the copies at
	years of age or older to wit: (Name)
CORPORATE, PARTNERSHIP, ASSOCIATION OR GOVERNMENT SERV	ICE: By delivering a top some Co	pursuant to F.S. 48.031.
() CORPORATE, PARTNERSHIP, ASSOCIATION OR GOVERNMENT SERV me and a copy of the complaint to: () In absence of the president, vice-president, other head of the composition, raching sedefined by the president, vice-president, other head of the composition, raching	and the copy of E	he process with the date and hour of service endorsed by
() In absence of the president, vice-president, other head of the companies	as (title)	of said entiry
ma diction by L'9 de lix)	a, ucasulta, Secretary deneral man-	
() For failure of the Registered Agent to be his/user designated place for service pur the corporation's place of business. () POSTED; Pursuant to F.S. 48, 183(1)	rsuant to 48.091 and by remine the	-1
() POSTED: Pursuant to F.S.48.183(i).	the state of the s	nove named person as employee of said corporation at
() NON-SERVICE- By many in		
	for the reason that after	त्र due and diligent search through the following methods
Immediate neighbors, telephone book and information operator, U.S. Postal scar	th, local credit bureaus Driver 1:	Description of the second of t
	24, 22, 2117G3 DI	scase and Department of Motor Vehicles.
(A Mencine) Santon)Yes ₽	rancir
(X) Michile Home () We arrived (\ 0.00 mind) Married, but separated
() resign Not Visible () No		in:
COMMENTS:		
•		
I hereby certify that I am not a party to the above action or suit and I am over the age of the party of party of declaration that the forestone document and that the	~F.10	
"Under penalties of periody is decident that where read the foregoing document and that live	or 18 years and the above affidavit i	is true and correct
	_ 1	a are a second
C.I.		
Corafred Process Server # 1518 Jemas Williams	A Day 2 de Endinadus bus al 1210)	7.13
	OTE to and Subscribed before the	isday of,
	orn to and Subscribed before the	isday of,
NO SERVER PERSONALLY KNOWN TO ME	OTO to and Subscribed before A	isday of,
COUNTY DAY DIE CO NO NO SERVER PERSONALLY KNOWN TO ME () SERVER PRODUCEDAS Id	OTTO BY PURISHED OF THE PROPERTY PURISHED	isday of,

State of Califo			
Subscribed and day of June	d swom to (or affirmed) before me on , 2010 , by Jonas Williams	this <u>22nd</u>	
proved to me o	on the basis of satisfactory evidence to appeared before me.	be the	
	ODETTE DIAZ	Act and Act an	
	NOTARY PUBLIC COLLECTION OF THE SAN CIESTO COLLECTION OF THE COLLECTIO		
(Seal)	Signature		

PROVEST, LLC 4520 SEEDLING CIRCLE TAMPA, FL 33614-2400

0913679

•		A	PFIDAVIT O	I service		
IN THE CIRCUIT	COURT OF	SEMINOLE	200	13 ham a		
PLAINTIFF	BACHOME	LOANS SERVICING, I	COL	INTY, FLORMA	,	
Dillian to a m			EN PRA COUNTR	TWIDE HOME LOAT	IS SERVICING LP	
DEFENDANT		JE	NNIFER BROCH	EY. ET AL		
DELENDANI. 10	BE SERVED:			ER BROCHEY	······································	
CIECNO	£0.0000 C4 31000				- SONE OF THE PROPERTY OF THE PARTY OF THE P	
	59-2009-CA-010794	TYPE OF PRO	DCESS (x) SUM	Mons & Complain	T(+) I IS DENIDENS	
DIVISION	14-K	•	HTC()	FR	((T) DIO LEMANEMA	
Daniel I. 1.	. (1)					
Kercayed this proce	ss on the 01-15-	<u> 2010</u>	ai	10:00 AM		1
	not served the within name					
DATE/TIME: 0/	-18-10 / 7:6	OAM.	ADDRES	S WHERE SERVED	7830 VIA CAPRI	
	•		OKAH	EMPTED)	T A COLUMN	
A man					LA JOLLA, CA 92037 4	
M INDIVIDUALS	SERVICE: By delivering to th	e within named defendar	at a true copy of th	is ornoces with the date	au-4 (by me, and, at the same time !
SIJ OJ EJISVILIJE -	within named defendance cop	y of the complain.		es broades a felt the entite	and upon or service endorseq	by me, and, at the same time !
() 3003111015	SERVICE: By leaving a bucc	opy of this process with	the date and hour o	of service endorsed by n	ne and a copy of the complain	nt but leaving the coving of
(his/hor) usual p	lace of abode, with some pers	on residing thereig who i	من سوس مرتب		-	u oh reasult me cotace at
(Reintionship)	•	מוניו מוניו מוניום מוניים	s mile in years of a	ge or older to wet: (Nam	(e)	
CORPORATE:	PARTNERSHIP, ASSOCIAT	, z	daza gninnotni bas	person of their contents	5, pustant to F.S. 48.031	
		oo triddiffid	IL DON VICE: BY C	istivening a thus comy of	the process with the date and	hour of service endorsed by
() In absence of the	president, vice-president, oth	er hand of the corporation	n, cashier, treasure	E SACRESTU GRADOÙ SON	annu di	of said entity.
ns aggings by r.:	2 46.U61.		, , , , , , , , , , , , , , , , , , , ,	is seen temp1, Bester of MIS	ಕ್ಷಕ್ಕಿಲ್, ಗುಂಡು, ಆಗುಂತ ಈ ರಿಗಾ	alms of the smibitant mags attention
the corporation's	Registered Agent to be his/he place of business.	r designated place for se	rvice pursuant to 4	8.091 and by serving th	e above named person as emi	Though of said companion at
) PUSILO: Fusic	531 ES F.S 48 193713					
) NON-SERVICE	By return the same on					
the within named	could not be located:			for the mason that al	ter due and diligent search th	rough the following snethods
	bors, relephone book and infor	mation operator, U.S. Po	stal search, local c	redii burezus, Drivers 1	icense and Department of M	otor Vehicles.
Military Status:	() Refused	L# No	()Yes		Per aut.	
Marital Status:	() Refusal	ST Not married	() Married		Branch	······································
Nobile Home	() Yes/VIN Not Visible	UTNO	() Yes		() Married, but separated Vin:	
		1	.,		7 ALC	
COMMENTS:						
				·		
			·			•
				,•		
						A)
necesticering that is	im not a party to the above act	ion or suit and I am over	the age of 18 year	s and the above affidavi	if is true and corner 7	. HO
resear Daugues of Dal	in Salar sire in I have head i	<u>१९ कि १० इस के जाने अपनित्रकार अपन</u>	l that the focts reales	lovarence" F.S.92.5	25	ACT
	$\mathcal{L}(\mathcal{L})$		State of Call		- 4716.	,
			County of		it is true and correct.	
united Process Servi	er# 1518 Tomen G	TILLIAMS			150	
Don 5 80 1	21500		Subscribed	and sworn to befor	eme on this day o	by by
) SERVER PERSON	ALLY KNOWN TO ME		to tra the no	EVONS	d to me on the basis of s	atisfactory evidence
) SERVER PRODUC	TED DRIVENES U	SETUSE ARIA	ro na ma ha	Derescale Charman	Curve Die.	
			(seal)			
					Sien	strare

State of California
County of San Diego

Subscribed and sworn to (or affirmed) before me on this 26th day of JANUARY , 2010, by JONAS WILLIAMS

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

ODETTE DIAZ
OMM. #1826565
SAN DIEGO COUNTY ON MY COMMISSION Expires DECEMBER 12, 2012

(Seal)

Signature

EXHIBIT B

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):	FOR COURT USE ONLY
Marc J. Randazza SBN 269535; Randazza Legal Group	
10620 S. Highlands Pkwy #110-545; Las Vegas, NV 89141	
10020 5. Highlands I kwy // 110 545, Das vogas, 11 v 65141	
TELEPHONE NO.: 888-667-1113 FAX NO. (Optional): 305-437-7662	
	EILED
E-MAIL ADDRESS (Optional): mjr@randazza.com	Community Superior Court
ATTORNEY FOR (Name): Plaintiffs Marc Randazza and Jennifer Randazza	(A see stangilor oodis
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	MAR 06 2012
STREET ADDRESS: 330 W. Broadway	MAN OU ZOIZ
MAILING ADDRESS:	By: PATRICIA F LEGLER, Deputy
CITY AND ZIP CODE: San Diego, CA 92103	By. PATRICIA I ELOCETT, Sopery
BRANCH NAME: Central	
PLAINTIFF: Marc Randazza and Jennifer Randazza	
TEANVIELT MATERIALIZA AND JEMMIEL RANGAZZA	
DEFENDANT: Jonas Williams; A-1 Proserv, LLC; Provest, LLC; and Does 1-10	
DEFENDANT: Johas Williams, A-1 Hosely, ELC, Flovest, ELC, and Does 1-10	
JUDGMENT	CASE NUMBER:
By Clerk By Default After Court Trial	37-2011-00086151-CU-MC-CTL
X By Court On Stipulation Defendant Did Not	
Appear at Trial	
- Ph	
JUDGMENT	
1. X BY DEFAULT	
a. Defendant was properly served with a copy of the summons and complaint.	
	in the stime allowed by law
b. Defendant failed to answer the complaint or appear and defend the action with	in the time allowed by law.
 Defendant's default was entered by the clerk upon plaintiff's application. 	
d. Clerk's Judgment (Code Civ. Proc., § 585(a)). Defendant was sued onl	y on a contract or judgment of a court of
this state for the recovery of money.	
e. X Court Judgment (Code Civ. Proc., § 585(b)). The court considered	
(1) plaintiff's testimony and other evidence.	
(2) X plaintiff's written declaration (Code Civ. Proc., § 585(d)).	
2. ON STIPULATION	
 Plaintiff and defendant agreed (stipulated) that a judgment be entered in this 	case. The court approved the stipulated
judgment and	
 the signed written stipulation was filed in the case. 	
c. the stipulation was stated in open court the stipulation was sta	ted on the record
and disparation was stated in open count.	ted off the record.
3. AFTER COURT TRIAL. The jury was waived. The court considered the evidence	2.
a. The case was tried on (date and time):	
before (name of judicial officer):	
b. Appearances by:	
Plaintiff (name each):	laintiff's attorney (name each):
(1))
,	,
(2)	2)
Continued on Attachment 3b.	
Sommadd Siff Audomitent Ob.	
Defendant (name and the	
Defendant (name each):	efendant 's attorney (name each):
(1))
(2)	2)
Continued on Attachment 3b.	
C. Defendant did not appear at trial. Defendant was properly served with n	otice of trial
c. Defendant did not appear at trial. Defendant was properly served with n	otice of trial.
c. Defendant did not appear at trial. Defendant was properly served with n d. A statement of decision (Code Civ. Proc., § 632) was not	otice of trial. was requested.

_ PLAINTIFF: Marc Rand	cc Randazza and Jennifer Randazza case Number:							
DEFENDANT: Jonas William	ns; A-1 Proserv	Does 1-10		37-2011-000861	51-CU-M	C-CTL		
JUDGMENT IS	ENTERED AS	FOLLOWS BY:		THE COURT		THE CLERK		
4. Stipulated Judgi	ment. Judgme	nt is entered accordi	ng to th	ne stipulation o	of the pa	irties.		
 Parties. Judgment is a. X for plaintiff (nat Marc Randa 	,	nifer Randazza		c	for cros	s-complainant <i>(name</i>	each):	
-	efendant <i>(name</i> ams and A-1	s): Proserv, LLC			and aga	ainst cross-defendant	t (name ead	h):
Continue	ed on Attachme	ent 5a.			C	ontinued on Attachme	ent 5c.	
b. for defendant (i	name each):			d	for cros	s-defendant (name e	each):	
6. Amount. a. X Defendant nam pay plaintiff on		bove must				endant named in iten		
(1) X Damages (2) Prejudgment interest at the annual rate of		\$ 32,187.50 \$		(1)	Damag Prejudo interest annual	gment t at the	\$ \$	
(3) X Attorney fees		\$5,062.50		(3)	Attorne		\$	
(4) X Costs		\$ 597.75		(4)	Costs		\$	
(5) Other (specify	<i>(</i>):	\$		(5)	Other ((specify):	\$	
(6) TOTAL		\$ 37,847.75		(6)	TOTAL	-	\$	
costs \$ and Th 7. X Other (specify):	5b. named in item attorney fees \$ e Court hereby Igment has bee	5b to recover enjoins Mr. William n satisfied in full. Si	hould t	cr L A-1 Proserv fr hey fail to pay	coss-defe	nplainant to receive nendant named in item ss-defendant named ts \$ and attorney fees in the statement within 30 day led to the Plaintiffs as	5d. in item 5d to tee of Califor s, the bonds	o recover ornia until th
Date: MAR 0 6 2	012			·UI		F. HAYES		
Date:			lerk h	,		LOFFICER		Denutu
								, Deputy
(SEAL)	I certify that	CLERK'S CER this is a true copy of			,	in the court		
	Date:	and is a frac copy of	the on	gmarjuugmen	it on lile	in the court.		
		Cler	k, by					, Deputy
								Page 2 of 2
JUD-100 [New January 1, 2002]	A 100 CO. A. C.	JU	DGME	NT				_

1 2 MAR 06 2012 3 By: PATRICIAT LEGLER, Deputy 4 5 6 7 SUPERIOR COURT OF CALIFORNIA 8 9 **COUNTY OF SAN DIEGO** 10 MARC RANDAZZA, an individual: JENNIFER Case No. 37-2011-00086151-CU-MC-CTL RANDAZZA, an individual; 11 **PROPOSED** Order Awarding Damages Plaintiffs, 12 Judge: Hon. Judith F. Haves 13 VS. Dept. C-68 Complaint Filed: 02/17/2011 JONAS WILLIAMS, an individual; A-1 14 Trial Date: None Assigned PROSERV, LLC, a California LLC; PROVEST, LLC, a Delaware LLC; and DOES 1-10; 15 Defendants. 16 17 18 In this case, a process server perjuriously falsified two proofs of service. The Plaintiff 19 seeks to hold him responsible for this egregious act. As falsifying a proof of service is a serious 20 abuse of process, this Court hereby **GRANTS** Plaintiff's motion for damages. See *Kappel v*. 21 Bartlett, 200 Cal. App. 3d 1457 (Cal. App. 2d Dist. 1998). 22 The Plaintiff has demonstrated actual damages of \$7,187.50, costs of \$597.75, and 23 reasonable attorneys fees of \$5,062.50, for a total compensatory award of \$12,847.75. However, 24 this amount should be augmented with an award of punitive damages. 25 California Civil Code Section 3294 allows the recovery of punitive damages upon any 26 obligation not arising from contract where it is "proven by clear and convincing evidence that the 27 defendant has been guilty of oppression, fraud, or malice." California Civil Code Section 1427

28

explains that "[a]n obligation is a legal duty, by which a person is bound to do or not do a certain

thing." Under California Civil Code Section 1428, such an obligation can arise from a contract or by operation of law. "An obligation arising from operation of law may be enforced in a manner provided by law, or by civil action or proceeding." *Id.* The process server's duty to act carefully is thus created both by common law and by Cal. Business & Professions Code § 22353. Therefore, the Court hereby imposes an award of \$25,000 in punitive damages. The total damages awarded against Williams and A-1 Proserv, jointly and severally, is \$37,847.75.

The Court hereby enjoins Mr. William and A-1 Proserv from serving process in the state of California until the judgment of \$37,847.75 has been satisfied in full.

Should Mr. Williams and A-1 Proserv fail to pay the judgment within 30 days, the bonds held by the Defendants under Cal. Business & Professions Code § 22353 will be forfeit and awarded to the Plaintiffs, as authorized by Cal. Business & Professions Code . § 22353(a).

IT IS HEREBY ORDERED.

MAR 0 6 2012 Dated: December , 2011

JUDITH F. HAYES

Hon. Judith F. Hayes