

1 LAW OFFICES OF MICHAEL E. KULWIN  
MICHAEL E. KULWIN, #285  
2 317 South Sixth Street  
Las Vegas, NV 89101  
3 (702) 387-5533  
Email: [kulwinlawlv@aol.com](mailto:kulwinlawlv@aol.com)  
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Efiled: July 10, 2007

5 Attorney for Defendants/Counter-Defendants  
World Hockey Association Corporation, a Florida  
6 Corporation and World Hockey Association  
Corporation, a Nevada Corporation and Counter-  
7 Complainants  
8

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 NEXUS ASSET HOLDINGS, LLC, a Texas )  
12 Limited Liability Company; GLOBAL )  
DEVELOPMENTS, INC., a Delaware )  
13 Corporation, )

CASE NO.: 07 CV 00206-KDJ-LRL

14 Plaintiffs, )

15 vs. )

AFFIDAVIT IN SUPPORT OF  
ENTRY OF DEFAULT FOR  
FAILURE TO PLEAD OR  
OTHERWISE DEFEND  
PURSUANT TO FRCP 55(a), and  
LR 77-1(b)(2)

16 WORLD HOCKEY ASSOCIATION CORP., )  
17 A Florida Corporation (Parent); WORLD )  
HOCKEY ASSOCIATION CORP., a )  
18 Nevada Corporation (subsidiary); WILLIAM R. )  
SMITH, an individual, ROBERT M. HULL, )  
19 an individual; and PETER YOUNG, an )  
individual, )

20 Defendants. )

21 WORLD HOCKEY ASSOCIATION CORP., A )  
22 Florida Corporation; WORLD HOCKEY )  
ASSOCIATION CORP., A Nevada Corporation, )  
23 WILLIAM R. SMITH, an individual, ROBERT M. )  
HULL, an individual and PETER YOUNG, an )  
24 individual, )

25 Counter-Claimants, )

26 vs. )

27 NEXUS ASSET HOLDINGS, LLC, a Texas )  
Limited Liability Company, and GLOBAL )  
28 DEVELOPMENTS, INC., A Delaware )

1 Corporation, )  
 2 Counter-Defendants. )  
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 )  
 4 WORLD HOCKEY ASSOCIATION )  
 CORPORATION, a Florida Corporation, and )  
 5 WORLD HOCKEY ASSOCIATION )  
 CORPORATION, a Nevada Corporation, )  
 6 Third-Party Plaintiffs, )  
 7 vs. )  
 8 JOHN D. BRINER, an individual, BRINER )  
 GROUP, INC., a purported Canadian Corporation, )  
 9 OTC FILERS, INC., a purported Canadian )  
 Corporation, WEST COAST STOCK TRANSFER, )  
 10 INC., a purported Canadian Corporation, )  
 CONTINENTAL STOCK TRANSFER )  
 11 COMPANY, purported New York Corporation, )  
 ESTHER BRINER, an individual, RIEGHARDT )  
 12 VAN ENTER, an individual, TEXAS MEDIA, )  
 LLC, a purported Texas Corporation, NORTH )  
 13 PLAINS ENTERPRISES, LLC, a purported )  
 Texas Corporation, JASON ASHDOWN, an )  
 individual, ERWIN LIEM, an individual, )  
 14 DOES I through X and ROE CORPORATIONS I )  
 through X, inclusive, )  
 15 Third Party Defendants. )  
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 )

17 STATE OF NEVADA )  
 18 COUNTY OF CLARK ) ss.  
 19 )

20 Michael E. Kulwin, Esq., being first duly sworn according to law deposes and says:  
 21 1. Your Affiant is attorney of record for Defendants/Counter-Claimants/Third Party  
 22 Plaintiffs in the above-captioned action, is licensed to practice law before this Court  
 23 and in this state and has public offices for the practice of law at 317 South Sixth  
 24 Street, Clark County, Nevada.  
 25 2. Your Affiant makes this Affidavit in accord with Local Rule 77-1(b)(2), and FRCP  
 26 55(a), which provides, in pertinent part, that the Clerk of this Court, without further  
 27

1 direction by the Court, may sign and enter its Order entering a default for failure of  
2 a party to plead or otherwise defend as set forth by FRCP 55(a).

3 3. That default is requested to be entered upon the following third party defendants for  
4 the reasons set forth herein below:

5 (A) Third Party Defendant John D. Briner, an individual.

6 (B) Third Party Defendant Esther Briner, an individual.

7 (C) Third Party Defendant Briner Group, Inc., a purported Canadian Corporation.

8 (D) Third Party Defendant OTC Filers, Inc., a purported Canadian Corporation.

9 (E) Third Party Defendant Jason Ashdown, an individual

10 4. As to Third Party Defendant John D. Briner, an individual, a Third Party Summons  
11 and Third Party Complaint was PERSONALLY SERVED upon said Defendant May  
12 23, 2007, by a licensed process serving company, to wit: Canadian Process Serving,  
13 Inc., as more particularly evidenced by the return of service filed with this Court June  
14 21, 2007 (Docket No. 68). As of the date of this affidavit no contact has been made  
15 by said party nor has any judicial response been filed.

16 5. As to Third Party Defendant Esther Briner, an individual, a Third Party Summons  
17 and Third Party Complaint was subject of PERSONAL/SUBSTITUTED service  
18 upon said Defendant May 11, 2007. Service of the Third Party Summons and Third  
19 Party Complaint were personally delivered to John D. Briner, brother of said Esther  
20 Briner, a person of suitable age and discretion as more particularly set forth by the  
21 return of service of Canadian Process Serving, Inc., filed with this Court June 21,  
22 2007 (Docket Item No. 67). As of the date of this affidavit no contact has been made  
23 by said party nor has any judicial response been filed.

24 5. As to Third Party Defendant Jason Ashdown, an individual, a Third Party Summons  
25 and Third Party Complaint Defendant was PERSONALLY SERVED upon said  
26 Defendant May 23, 2007, by Canadian Process Serving, Inc., as more particularly  
27

1 evidenced by the return of service filed with this Court June 21, 2007 (Docket No.  
2 62). As of the date of this affidavit no contact has been made by said party nor has  
3 any judicial response been filed.

4 6. As to Third Party Defendant Briner Group, Inc., a purported Canadian Corporation,  
5 same was subject of PERSONAL/SUBSTITUTED service on May 11, 2007. Service  
6 of the Third Party Summons and Third Party Complaint were personally delivered  
7 to John D. Briner, Manager of said corporate defendant as well as with the person in  
8 care, custody and control of the offices of said Third Party Defendant at 999 West  
9 Hastings Street, Suite 510, Vancouver, B.C., Canada, as more particularly set forth  
10 by the return of service of Canadian Process Serving, Inc., filed with this Court June  
11 21, 2007 (Docket Item No. 65). As of the date of this affidavit no contact has been  
12 made by said party nor has any judicial response been filed.

13 7. As to Third Party Defendant OTC Filers, Inc., a purported Canadian Corporation,  
14 same was subject of PERSONAL/SUBSTITUTED service on May 11, 2007, service  
15 of the Third Party Summons and Third Party Complaint was personally upon John  
16 D. Briner, Manager and the person in care, custody and control of the office of said  
17 Third Party Defendant at 999 West Hastings Street, Suite 510, Vancouver, B.C.,  
18 Canada on May 11, 2007, by Canadian Process Serving, Inc., as more particularly set  
19 forth by the return of service filed with this Court June 21, 2007 (Docket Item No.  
20 65). As of the date of this affidavit no contact has been made by said party nor has  
21 any judicial response been filed.

22 8. As to each Third Party Defendant, same were subject of service as aforesaid, by a  
23 licensed process server, unrelated to Third Party Plaintiffs and its counsel. Moreover,  
24 each Third Party Defendant was served with a Third Party Summons and Third Party  
25 Complaint in compliance with Article 10 of that certain Convention On Service  
26 Abroad of Judicial and Extra-judicial Documents In Civil or Commercial Matters of  
27

1 which the Country of Canada is a party thereto, subjecting its citizens and residents  
2 to service by and through the means set forth above and effectuated by Canadian  
3 Process Serving, Inc.

4 9. This Affidavit is made upon personal knowledge except for those matters stated upon  
5 information and belief and as to those matters, your affiant believes same to be true  
6 by reference to official notarized signatures and affirmations of Canadian Process  
7 Serving, Inc., said affirmations hereto filed by the Court.

8 10. Your Affiant is competent to testify to the matters set forth herein before a Court of  
9 law and will do so if requested.

10 11. Your Affiant believes that by virtue of the returns of service on file with this Court  
11 that a default should be entered upon each and all of the above-referenced Third Party  
12 Defendants for the reasons set forth herein.

13 FURTHER, YOUR AFFIANT SAYETH NAUGHT.

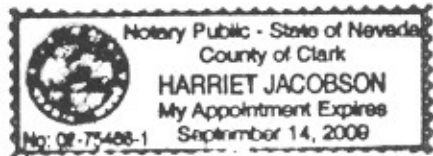
14 Dated this 10th day of July, 2007

15 [Signature]  
16 MICHAEL E. KULWIN

17  
18 Subscribed and sworn to before me this

19 10th day of July, 2007

20 [Signature]  
21 Notary Public in and for said County  
and State



## DISTRICT OF NEVADA

WORLD HOCKEY ASSOCIATION )  
 CORPORATION, et al., )  
     Third Party      Plaintiff(s), )  
 )  
 v. )  
 )  
 JOHN D. BRINER, etc., et al. )  
     Third Party      Defendant(s). )  
 \_\_\_\_\_ )

CV - 07 - 00206 KDJ LRL

**DEFAULT**

It appearing from the records in the above-entitled action that Summons issued on  
 the Third Party Complaint April 18, 2007  
 (Original, Amended, etc) (Date Complaint was filed)

Third Party  
 has been regularly served upon each of the Defendants hereinafter named; and it  
 appearing from the affidavit of counsel or Plaintiff and the records herein that each of  
 said Third Party Defendants has failed to plead or otherwise defend in said action as required by said  
 Summons and provided by the Federal Rules of Civil Procedure,

Now, therefore, on request of counsel for Plaintiff, the DEFAULT, as aforesaid, of  
 each of the following Defendants Third Party JOHN D. BRINER, an individual  
Esther Briner, an individual, Briner Group, Inc., a purported  
Canadian Corporation, OTC Filers, Inc., a purported Canadian Corporation  
and Jason Ashdown, an individual  
 in the above-entitled action is hereby entered.

DATED: \_\_\_\_\_

LANCE S. WILSON, CLERK