

AFTER RECORDING, MAIL TO:

1 CODE: 2610  
2 GAYLE A. KERN, ESQ.  
3 Nevada Bar No. 1620  
4 KERN & ROSENAUER, LTD.  
5 499 West Plumb Lane, Suite 202  
6 Reno, Nevada 89509  
7 (775) 324-1011

FILED

2001 MAR -1 PM 4:20

AMY HARVEY, CLERK

BY ~~AMY HARVEY~~  
DEPUTY

8 Attorneys for Heartland Payment Systems LLC

9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
10 IN AND FOR THE COUNTY OF WASHOE

11 HEARTLAND  
12 SYSTEMS, LLC,

PAYMENT

CASE NO.: CV01-00994

DEPT. NO.: 9

13 Plaintiff,

14 vs.

15 XPICS PUBLISHING, INC., MARIO  
16 CARMONA and BRIAN SHUSTER,

17 Defendants.

18 AMENDED NOTICE OF FILING OF FOREIGN JUDGMENT

19 TO: XPICS PUBLISHING, INC., MARIO CARMONA and BRIAN SHUSTER

20 Please Take Notice that on the 27th day of February, 2001, Judgment creditor,  
21 Heartland Payment Systems, LLC, filed a foreign judgment, to-wit: "HEARTLAND  
22 PAYMENT SYSTEMS, LLC, Plaintiff, vs. XPICS PUBLISHING, INC., MARIO CARMONA  
23 and BRIAN SHUSTER, Defendants," In the Circuit Court of the County of St. Louis, State of  
24 Missouri, Case No. 99CC-2629. A copy of this Judgment is attached hereto as Exhibit A.  
25 Additionally, a foreign cost Judgment was also filed in the referenced case. A copy of the cost  
26 Judgment is attached hereto as Exhibit B. Please take further notice that an Amended Affidavit  
27 in support of the filing of this Foreign Judgment was filed on March 1, 2001. A copy of this  
28 Amended Affidavit is attached hereto as Exhibit C.

///

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KERN & ROSENAUER, LTD.  
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Please Take Further Notice that the name and address of the Judgment Creditor is:

HEARTLAND PAYMENT SYSTEMS, INC.  
c/o Frederick Nicoll, Esq.  
Nicoll & Davis, LLP  
East 80 Route 4, Suite 220  
Paramus, NJ 07652

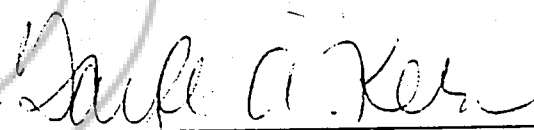
Please Take Further Notice that the name and address of the Judgment Creditor's

Attorneys are:

Gayle A. Kern, Esq.  
Kern & Rosenauer, Ltd.  
499 West Plumb Lane, Suite 202  
Reno, Nevada 89509

DATED this 1st day of March, 2001.

KERN & ROSENAUER, LTD.



GAYLE A. KERN, ESQ.  
Attorneys for Heartland Payment  
Systems, LLC

KERN & ROSENAUER, LTD.  
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RENO, NEVADA 89509  
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**EXHIBIT A**

**0532915**

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I certify and attest that the above is a true copy of the original record of the Court in case number 94 CC 2629 as it appears on file in my office.

Issued 1-26-01

JOAN M. GILMER, Circuit Clerk  
St. Louis County Circuit Court

By Marlene Pleuss  
Deputy Clerk



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**EXHIBIT B**

COPY

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In the  
**CIRCUIT COURT**  
of St. Louis County, Missouri



For file stamp only.

Heartland Payment System Inc 1-5-2001  
Plaintiff(s)/Petitioner(s)

Date  
9906-002679

vs.  
X Pico Publishing Inc  
Defendant(s)/Respondent(s)

Cause No.  
7  
Division

Plaintiff's motion for costs sustained.  
Judgment is entered as costs for Plaintiff  
in the amount of \$4,031.35.  
Defendant's motion for Judgment Notwith-  
standing the Verdict is heard and denied.

SO ORDERED

Judge

ENTERED:

0532915

(Date)

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Now & Buckley LLC  
by ATTORNEY #27636  
Attorney for Plaintiff Bar No.  
5150 Olive - Suite 800  
St. Louis, Mo. 63101 Address  
671-3434 314-621-3485 Fax No.  
Joe Jacobson #33715  
Attorney for Defendants Bar No.  
7733 Forsyth Blvd., Suite 700 Address  
Clayton, MO 63105  
[REDACTED] -6800 [REDACTED] -1606 Fax No.  
Phone No.

I certify and attest that the above is a true copy of the original record of the Court in case number 44CC 2629 as it appears on file in my office.

Issued 1-26-01

JOAN M. GILMER, Circuit Clerk  
St. Louis County Circuit Court

By [Signature]  
Deputy Clerk



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**EXHIBIT C**

COPY

**0532915**

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2 GAYLE A. KERN, ESQ.  
3 Nevada Bar No. 1620  
4 KERN & ROSENAUER, LTD.  
5 499 West Plumb Lane, Suite 202  
6 Reno, Nevada 89509  
7 (775) 324-1011

8 Attorneys for Heartland Payment Systems LLC

9  
10 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
11 IN AND FOR THE COUNTY OF WASHOE

12 HEARTLAND  
13 SYSTEMS LLC

14 PAYMENT

15 CASE NO.: CV01-00994

16 DEPT. NO.: 9

17 Plaintiff,

18 vs.

19 XPICS PUBLISHING, INC., MARIO  
20 CARMONA and BRIAN SHUSTER,

21 Defendants.

22  
23 AMENDED AFFIDAVIT OF GAYLE A. KERN, ESQ.  
24 IN SUPPORT OF FILING FOREIGN JUDGMENT

25 STATE OF NEVADA )  
26 ) :ss.  
27 COUNTY OF WASHOE )

28 I, Gayle A. Kern, do hereby swear under penalty of perjury that the following  
assertions are true and correct of my own personal knowledge, except as to those matters I  
believe to be true on information and belief.

1. Affiant is an attorney licensed to practice law in the State of Nevada.
2. Affiant makes this affidavit in support of the filing of a foreign judgment pursuant to NRS §§ 17.330 et seq., the Uniform Enforcement of Foreign Judgments Act.
3. The name and last known post office address of the judgment debtors are:  
Xpics Publishing, Inc., 425 E. Colorado Blvd., Glendale, CA 91205

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Mario Carmona, 4618 Townsend Avenue, Los Angeles, CA 90041,  
Brian Mark Shuster, P.O. Box 2153, Stateline, NV 89449; or 120 Desni Court,  
Stateline, NV 89449 or P.O. Box 13, Glenbrook NV 89413-0013.

4. The name and address of the judgment creditor is:  
Heartland Payment Systems, LLC, c/o Frederick Nicoll, Esq., Nicoll & Davis,  
LLP, East 80 Route 4, Suite 220, Paramus, NJ 07652.

5. On information and belief, the foreign judgment is valid and enforceable.

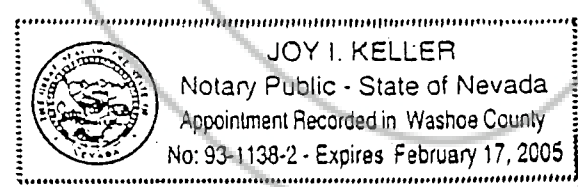
6. No portion of the judgment has been satisfied.

Further Affiant sayeth not.

*Gayle A. Kern*  
\_\_\_\_\_  
GAYLE A. KERN, ESQ.

Subscribed and sworn to before me  
this 1st day of March, 2001.

*Joy I. Keller*  
\_\_\_\_\_  
NOTARY PUBLIC



**CERTIFIED COPY**  
The document to which this certificate is  
attached is a full, true and correct copy of  
the original on file and of record in my office.  
DATE: January 22, 2002  
RONALD A. LONGTIN, JR., Clerk of the Second  
Judicial District Court, in and for the County  
of Washoe, State of Nevada.

REQUESTED BY  
Kern + Roseauer  
IN OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA

2002 JAN 23 PM 2: 16

LINDA SLATER  
RECORDER  
24 PAID K2 DEPUTY

By *J. Davis* Deputy  
**SEAL**

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