

Exhibit E

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AF HOLDINGS, LLC,

Plaintiff,

v.

JOE NAVASCA,

Defendants.

Case No.: C-12-2396 EMC

**DECLARATION OF
PAUL GODFREAD**

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I, Paul Godfread, have personal knowledge of the facts alleged herein and hereby declare as follows:

1. I am an attorney duly admitted to the practice of law in the state and federal courts of the State of Minnesota.
2. I personally served copies of the two recent orders in this case [Docs. 121 and 122] ("the Documents") on Paul Hansmeier at 9:20 am on October 21, 2013 just outside courtroom 9W in the federal courthouse at 300 S 4th Street, Minneapolis, MN 55415.
3. Mr. Hansmeier told me he was refusing to accept service, held up his hands, walked past me, and did not take the Documents that were handed to him. He entered the courtroom and sat in the gallery. I placed the Documents in front of him and he got up and went to sit at counsel's table. I then picked up the Documents and placed them in front of him at counsel's table.
4. I recognized Mr. Hansmeier because he has appeared as opposing counsel in several cases where I have also appeared in Minnesota and he was scheduled to appear

at several hearings¹ that morning. He later noted his appearance on the record, and noted my attempts at service on the record.

5. It is my understanding that the actions I took were sufficient to effect service under Minnesota law, which requires only that a process server be within speaking distance and that a reasonable person would believe service is being attempted; physically refusing to accept the papers does not avoid service. *Nielsen v. Braland*, 264 N.W.2d 737, 739 (Minn. 1963).

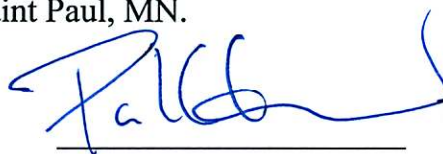
6. On October 25, Mr. Hansmeier served a subpoena in the District of Minnesota for this *AF Holdings v. Navasca* case pending in the Northern District of California.

7. John Steele has contacted me several times via phone and email between October 17 and October 25 about the same subpoena issued for this case.

8. Based on the actions taken by Paul Hansmeier and John Steele and my conversations with both of them, it appears they both have actual knowledge of the current status of the *AF Holdings v. Navasca* case (including Docs. 121 and 122) and are actively involved in the litigation of the case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 1, 2013, in Saint Paul, MN.

A handwritten signature in blue ink, appearing to read 'P. Godfread', written over a horizontal line.

Paul Godfread, Declarant

¹ The hearings were for the several reopened cases *AF Holdings, LLC v. John Doe* (12-cv-1445, 12-cv-1446, 12-cv-1447, 12-cv-1448, 12-cv-1449) as well as *AF Holdings, LLC v. Patel* (13-mc-68) all before Magistrate Judge Franklin Noel.