

# WAIVER

## Supreme Court of the United States

No. 18-5320

James MacDonald  
(Petitioner)

v.

Martin Dori Singer, et al.  
(Respondents)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate boxes:

Please enter my appearance as Counsel of Record for all respondents.

There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

Lavely & Singer; Martin D. Singer; Andrew Brettler

---

I am a member of the Bar of the Supreme Court of the United States.

I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member.

Signature Mark Schaeffer

Date: August 23, 2018

(Type or print) Name Mark Schaeffer

Mr.       Ms.       Mrs.       Miss

Firm Nemecek & Cole

Address 16255 Ventura Blvd., Suite 300

City & State Encino, California Zip 91436

Phone 818.788.9500

SEND A COPY OF THIS FORM TO PETITIONER'S COUNSEL OR TO PETITIONER IF PRO SE. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

Cc:

Supreme Court of the United States



James MacDonald  
(Petitioner)

v.

No. 18-5320

Martin Dori Singer, et al.  
(Respondent)

To Jonathan Cole Esq, Nemecek & Cole Counsel for Respondent:

**NOTICE IS HEREBY GIVEN** pursuant to Rule 12.3 that a petition for a writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on July 17, 2018, and placed on the docket July 23, 2018. Pursuant to Rule 15.3, the due date for a brief in opposition is Wednesday, August 22, 2018. If the due date is a Saturday, Sunday, or federal legal holiday, the brief is due on the next day that is not a Saturday, Sunday or federal legal holiday.

Beginning November 13, 2017, parties represented by counsel must submit filings through the Supreme Court's electronic filing system. Paper remains the official form of filing, and electronic filing is in addition to the existing paper submission requirement. Attorneys must register for the system in advance, and the registration process may take several days. Further information about the system can be found at <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>.

Unless the Solicitor General of the United States represents the respondent, a waiver form is enclosed and should be sent to the Clerk only in the event you do not intend to file a response to the petition.

Only counsel of record will receive notification of the Court's action in this case. Counsel of record must be a member of the Bar of this Court.

Mr. James MacDonald  
7095 Hollywood Blvd., #327  
Los Angeles, CA 90028

## PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 16255 Ventura Boulevard, Suite 300, Encino, California 91436-2300.

On August 24, 2018, I served the foregoing document described as: **WAIVER**, upon the interested parties in this action in sealed envelopes addressed as follows: See the attached **SERVICE LIST**.

- BY U.S. MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after day of deposit for mailing contained in affidavit.
- BY OVERNIGHT DELIVERY:** I deposited this document in the box or other facility located at 16255 Ventura Blvd., Suite 300, Encino, CA 91436-2300 regularly maintained by Golden State Overnight Delivery Service, Inc., in an envelope designated by Golden State Overnight Delivery Service, Inc. with delivery fees paid or provided for, addressed to the persons on whom it is to be served, for guaranteed next day delivery.
- BY ELECTRONIC MAIL [to individual person(s)]:** By electronically transmitting the document(s) listed above to the e-mail address(es) of the person(s) set forth on the attached service list from the e-mail address [ghenderson@nemecek-cole.com](mailto:ghenderson@nemecek-cole.com) To my knowledge, the transmission was reported as completed and without error. *See, California Rules of Court, Rule 2.251.*
- BY FACSIMILE MACHINE:** I caused the foregoing document to be served by facsimile transmission to each of the interested parties at the facsimile machine telecopy number shown above.
- BY PERSONAL SERVICE:** I caused the delivery of such envelope by hand to the offices of the addressee.

Executed on August 24, 2018, at Encino, California.

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

Gina Henderson  
GINA HENDERSON

## SERVICE LIST

Stephen Michael Kernan  
Law Offices Of Stephen M. Kernan  
9663 Santa Monica Blvd., Suite 450  
Beverly Hills, CA 90210  
p. 310.490.9777 / f. 310.861.0503  
e. [MKernan@Kernanlaw.Net](mailto:MKernan@Kernanlaw.Net)

*Attorneys for defendant Paul Barresi*

Louis E. Kempinsky  
Kempinsky Law Ltd.  
11111 Santa Monica Blvd., Suite 1700  
Los Angeles, CA 90025  
p. 424.901.6690 / f. 424.901.1433  
e. [lek@kempinskylaw.com](mailto:lek@kempinskylaw.com)

*Attorneys for defendants Shereen Arazm and Oren Koules*

Thomas Mummey Martinez  
1253 North Las Palmas Avenue, #6  
Los Angeles, CA 90038

***Defendant in propria persona***

James MacDonald  
7095 Hollywood Blvd., #327  
Los Angeles, CA 90028  
p. 323.906.7561

*Plaintiff in propria persona*

James MacDonald  
P. O. Box 291905  
Los Angeles, CA 90029  
p. 323.906.7561

*Plaintiff in propria persona*