

# 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):

Shereen Arazm and Oren Koules

- ☒ 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

*Louis E. Kempinsky*

Date: August 28, 2018

(Type or print) Name Louis E. Kempinsky

☒ Mr.

☐ Ms.

☐ Mrs.

☐ Miss

Firm Kempinsky Law Ltd.

Address 11111 Santa Monica Blvd., Suite 1700

City & State Los Angeles, California

Zip 90025

Phone 424-901-6690

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:

Obtain status of case on the docket. By phone at 202-479-3034 or via the internet at <http://www.supremecourtus.gov>. Have the Supreme Court docket number available.

# Supreme Court of the United States

James MacDonald  
(Petitioner)

v.

No. 18-5320

Martin Dori Singer, et al.  
(Respondent)

To Louis Kempinsky, Esq. 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**

I am employed in Los Angeles County. My business address is 11111 Santa Monica Blvd., Suite 1700, Los Angeles, CA 90025. I am over the age of 18 years and I am not a party to this action.

On August 28, 2018, I caused to be served the following document, described as:

**WAIVER – Supreme Court of the United States**

on the interested parties as follows by placing a true copy thereof enclosed in sealed envelopes as follows:

<i>Plaintiff in Pro Per</i>	<i>Attorneys for Defendants Martin Singer, Lavely &amp; Singer, and Andrew Brettler</i>	<i>Attorney for Defendant Paul Barresi</i>
James MacDonald 7095 Hollywood Blvd. Unit 327 Los Angeles, CA 90028	Jonathan B. Cole Mark Schaeffer Nemecek & Cole, APC 15260 Ventura Blvd. Suite 920 Sherman Oaks, CA 91403	Stephen Michael Kernan Law Offices of Stephen M. Kernan 9663 Santa Monica Boulevard Suite 450 Beverly Hills, CA 90210

☐ **BY PERSONAL DELIVERY:** I caused such envelope to be personally served on the party or parties as indicated above.

☒ **BY 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 the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT:** I caused the above-referenced document(s) to be delivered to Federal Express for delivery to the address(es) as indicated in the attached service via overnight courier.

☐ **BY EMAIL:** I caused such documents to be transmitted via e-mail on this date to the above-named individuals.

Executed on August 28, 2018, at Los Angeles, California.

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

  
Evan M. Effres