

**SUMMONS  
(CITACION JUDICIAL)**

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

Aleut Global Solutions, LLC, and DOES 1 - 10

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Judicial Council of California, Admin. Ofc. of the Courts

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

Superior Court of California, County of San Francisco  
400 McAllister Street, San Francisco, CA 94102

CASE NUMBER:  
(Número de Caso):

GGC-09-495035

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Peter A. Krause (SBN 185098), 1300 I Street, Suite 125, Sacramento, CA 95814 Tel: (916) 324-5328

**Gordon Park-Li**

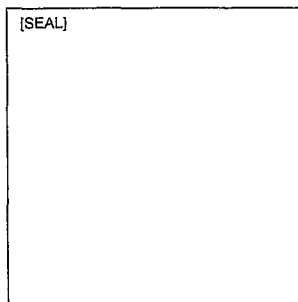
DATE:  
(Fecha)

DEC - 7 2009

Clerk, by  
(Secretario)

, Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED:** You are served

1.  as an individual defendant.
2.  as the person sued under the fictitious name of (specify):
3.  on behalf of (specify):  
under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
4.  by personal delivery on (date):

2009 DEC -7 AM 2:22

GOVERNMENT CLERK

BY: \_\_\_\_\_

CASE MANAGEMENT CONFERENCE SET

MAY - 7 2010 - 9<sup>AM</sup>

DEPARTMENT 212

CASE NUMBER:

CC-09-495035

COPIES

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Peter A. Krause, Cal. Bar No. 185098  
Office of the Attorney General  
1300 I Street, Suite 125  
Sacramento, California 95814  
TELEPHONE NO: (916) 324-5328 FAX NO. (Optional): (916) 324-8835  
E-MAIL ADDRESS (Optional): peter.krause@doj.ca.gov  
ATTORNEY FOR (Name): Plaintiff Judicial Council of California

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO  
STREET ADDRESS: 400 McAllister Street  
MAILING ADDRESS:  
CITY AND ZIP CODE: San Francisco, CA 94102  
BRANCH NAME: Civic Center

PLAINTIFF: Judicial Council of California, Admin. Ofc. of the Courts

DEFENDANT: Aleut Global Solutions, LLC

DOES 1 TO 10

**CONTRACT**  
 COMPLAINT  AMENDED COMPLAINT (Number):  
 CROSS-COMPLAINT  AMENDED CROSS-COMPLAINT (Number):

Jurisdiction (check all that apply):  
 ACTION IS A LIMITED CIVIL CASE  
Amount demanded  does not exceed \$10,000  
 exceeds \$10,000 but does not exceed \$25,000  
 ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)  
 ACTION IS RECLASSIFIED by this amended complaint or cross-complaint  
 from limited to unlimited  
 from unlimited to limited

1. Plaintiff\* (name or names):  
Judicial Council of California, Administrative Office of the Courts (AOC)  
alleges causes of action against defendant\* (name or names):  
Aleut Global Solutions, LLC
2. This pleading, including attachments and exhibits, consists of the following number of pages:
3. a. Each plaintiff named above is a competent adult  
 except plaintiff (name): Judicial Council of California, Administrative Office of the Courts  
(1)  a corporation qualified to do business in California  
(2)  an unincorporated entity (describe):  
(3)  other (specify):  
State Governmental Entity  
b.  Plaintiff (name):  
a.  has complied with the fictitious business name laws and is doing business under the fictitious name (specify):  
b.  has complied with all licensing requirements as a licensed (specify):  
c.  Information about additional plaintiffs who are not competent adults is shown in Attachment 3c.
4. a. Each defendant named above is a natural person  
 except defendant (name): Aleut Global Solution  except defendant (name):  
(1)  a business organization, form unknown (1)  a business organization, form unknown  
(2)  a corporation (2)  a corporation  
(3)  an unincorporated entity (describe): (3)  an unincorporated entity (describe):  
(4)  a public entity (describe): (4)  a public entity (describe):  
(5)  other (specify): Limited Liability Company (5)  other (specify):

\* If this form is used as a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

SHORT TITLE: Judicial Council of California v. Aleut Global Solutions, LLC	CASE NUMBER:
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4. (Continued)
- b. The true names of defendants sued as Does are unknown to plaintiff.
- (1)  Doe defendants (specify Doe numbers): 1 through 10 were the agents or employees of the named defendants and acted within the scope of that agency or employment.
- (2)  Doe defendants (specify Doe numbers): 1 through 10 are persons whose capacities are unknown to plaintiff.
- c.  Information about additional defendants who are not natural persons is contained in Attachment 4c.
- d.  Defendants who are joined under Code of Civil Procedure section 382 are (names):

5.  Plaintiff is required to comply with a claims statute, and
- a.  has complied with applicable claims statutes, or
- b.  is excused from complying because (specify):

6.  This action is subject to  Civil Code section 1812.10  Civil Code section 2984.4.

7. This court is the proper court because
- a.  a defendant entered into the contract here.
- b.  a defendant lived here when the contract was entered into.
- c.  a defendant lives here now.
- d.  the contract was to be performed here.
- e.  a defendant is a corporation or unincorporated association and its principal place of business is here.
- f.  real property that is the subject of this action is located here.
- g.  other (specify):

8. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- Breach of Contract
- Common Counts
- Other (specify):  
 Second Cause of Action, Statutory Violations (See Attachment SV-1)

9.  Other allegations:  
 See attached causes of action.

10. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

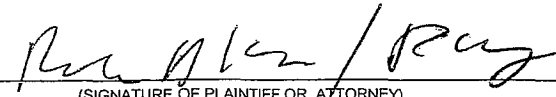
- a.  damages of: \$ According to proof
- b.  interest on the damages
- (1)  according to proof
- (2)  at the rate of (specify): \_\_\_\_\_ percent per year from (date): \_\_\_\_\_
- c.  attorney's fees
- (1)  of: \$ \_\_\_\_\_
- (2)  according to proof.
- d.  other (specify):

Other such relief as the Court deems just and proper.

11.  The paragraphs of this pleading alleged on information and belief are as follows (specify paragraph numbers):  
 BC-2, SV-1, Paragraph 6

Date: December 7, 2009

Peter A. Krause \_\_\_\_\_  
 (TYPE OR PRINT NAME)

  
 \_\_\_\_\_  
 (SIGNATURE OF PLAINTIFF OR ATTORNEY)

(If you wish to verify this pleading, affix a verification.)

SHORT TITLE: Judicial Council of California v. Aleut Global Solutions, LLC	CASE NUMBER:
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**FIRST CAUSE OF ACTION—Breach of Contract**

(number)

ATTACHMENT TO  Complaint  Cross - Complaint

(Use a separate cause of action form for each cause of action.)

BC-1. Plaintiff (name): Judicial Council of California, Administrative Office of the Courts

alleges that on or about (date): March 15, 2006

a  written  oral  other (specify):

agreement was made between (name parties to agreement):

The Judicial Council of California and Aleut Global Solutions, LLC (formerly Tekstar, LLC)

A copy of the agreement is attached as Exhibit A, or

The essential terms of the agreement  are stated in Attachment BC-1  are as follows (specify):

BC-2. On or about (dates): March 2006

defendant breached the agreement by  the acts specified in Attachment BC-2  the following acts (specify):

Aleut Global Solutions, LLC breached the representations and warranties set forth in Attachment BC-1 regarding its possession of a Class B contractor's license. Specifically, the Judicial Council of California is informed and believes that Aleut Global Solutions, LLC never possessed a Class B license, in breach of the parties' agreement.

BC-3. Plaintiff has performed all obligations to defendant except those obligations plaintiff was prevented or excused from performing.

BC-4. Plaintiff suffered damages legally (proximately) caused by defendant's breach of the agreement

as stated in Attachment BC-4  as follows (specify):

According to proof.

BC-5.  Plaintiff is entitled to attorney fees by an agreement or a statute

of \$

according to proof.

BC-6.  Other:

Any other relief the Court deems just and proper.

## ATTACHMENT BC-1

In exchange for payment of services, Aleut Global Solutions, LLC ("AGS"), formerly Tekstar, LLC, agreed to provide management and maintenance services necessary to maintain, repair and otherwise preserve designated facilities on behalf of the AOC in the State of California, as defined in the agreement. Among other things, AGS represented and warranted that it held, and would continue to hold, a Class B contractor's license issued by the State Contractors License Board. Specifically, Paragraph 34 of the contract, entitled "License," reads as follows:

Contractor represents and warrants that Contractor has, and will continue to have during the time of this agreement a "B" Contractor's license issued by the California State Contractors License Board. Contractor further represents and warrants that with respect to any Work requiring a specialty license, Contractor and any Subcontractors working on that portion of the Work will have, and continue to have, during that portion of the Work any specialty license required for that portion of the Work.

And paragraph 35, "Obtaining Permits and Licenses," provides as follows:

Contractor shall secure and pay for all permits, licenses, and certificates necessary for prosecution of any Work before the date of commencement of any Work relating to a Work Order for before the permits, licenses, and certificates are legally required to continue that work without interruption. The Contractor, acting in the name of the State, shall obtain and pay, only when legally required, for all licenses, permits, inspections, and inspection certificates required to be obtained from or issued by any authority having jurisdiction over any part of the Work included in the Contract. All permits, licenses, and certificates shall be delivered to State.

## ATTACHMENT SV-1

### SECOND CAUSE OF ACTION – STATUTORY VIOLATIONS

1. Plaintiff incorporates by reference all of the allegations in the Complaint and First Cause of Action, as alleged above.
2. As a separate cause of action against all defendants, plaintiff alleges that defendant Aleut Global Solutions, LLC and Does 1 through 10 violated Business and Professions Code sections requiring Contractors in this state to hold a valid license, and that their failure to possess the requisite licenses voids the contract and requires that defendants disgorge all compensation paid to them by the Judicial Council of California.
3. Defendant Aleut Global Solutions, LLC and Does 1 through 10 are Contractors within the meaning of Business and Professions Code section 7026.
4. Under Business and Professions Code section 7028.15, subdivision (e), any contract awarded to a contractor who is not licensed is void.
5. Business and Professions Code section 7031, subdivision (b), authorizes any person or entity who utilizes the services of an unlicensed contractor to bring an action to recover all compensation paid to the unlicensed contractor for performance of any act or contract.
6. Plaintiff is informed and believes that defendant Aleut Global Solutions, LLC and Does 1 through 10 were not licensed by the California State Contractors License Board any time during its contract with plaintiff.
7. Plaintiff is therefore entitled to recover all compensation paid to Aleut Global Solutions, LLC and Does 1 through 10 since the inception of the parties' relationship.
8. As a direct and proximate result of defendants' statutory violations, plaintiff has been damaged in an amount according to proof, plus interest.

COPY

ENDCM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address):  
Peter A. Krause, Cal. Bar No. 185098  
Office of the Attorney General  
1300 I Street, Suite 125  
Sacramento, California 95814  
TELEPHONE NO.: (916) 324-5328 FAX NO.: (916) 324-8835  
ATTORNEY FOR (Name): Plaintiff Judicial Council of California

FOR COURT USE ONLY  
SAN FRANCISCO COUNTY  
SUPERIOR COURT  
2009 DEC -7 AM 2:22  
GOLDFELD, PAUL - CLERK  
BY: \_\_\_\_\_

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO  
STREET ADDRESS: 400 McAllister Street  
MAILING ADDRESS:  
CITY AND ZIP CODE: San Francisco, CA 94102  
BRANCH NAME: Civic Center

CASE NAME:  
Judicial Council of California v. Aleut Global Solutions, LLC

**CIVIL CASE COVER SHEET**  
 Unlimited (Amount demanded exceeds \$25,000)  Limited (Amount demanded is \$25,000 or less)

**Complex Case Designation**  
 Counter  Joinder  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:  
**GGC-09-495035**  
JUDGE:  
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	<b>Contract</b> <input checked="" type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	<b>Provisionally Complex Civil Litigation</b> (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
<b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23)	<b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	<b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20)
<b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35)	<b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	<b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
<b>Employment</b> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive

4. Number of causes of action (specify): Two: Breach of Contract and Statutory Violations

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: December 7, 2009  
Peter A. Krause  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.