

JUDGE DARREL W. LEWIS (Ret.)
MEDIATOR, ARBITRATOR and PRIVATE JUDGE
8801 FOLSOM BOULEVARD, SUITE 172
SACRAMENTO, CA. 95826

An experienced judge ~

~ A successful mediator

June 20, 2018

Ex Parte Order

Trakkers, LLC

ORDER

Upon review of the documents listed below, this Private Judge, finds that there was no sale of Trakkers to Xumanii in 2013 or any other time. This Private Judge further finds that Mr. Robert Bates has no ownership or authority in Inova to sell assets. Further, he was not a part of the communications with the original owners of Xumanii prior to October 1, 2013 and had no knowledge of the transaction until immediately prior to its announcement.

This Private Judge recognizes that many of the attached documents technically constitute hearsay evidence. That is, they are out of court statements offered for the truth of the matter asseerted, but all documents taken together, constitute credible and believable evidence to support the above conclusions of this Private Judge.

////////

////////

////////

////////

ANALISIS OF DOCUMENTS REVIEWED AND ATTACHED

1. Press release of October 1, 2013. Announces that Inova Technology has sold Trakkers and RightTag to Xumanii, effective this date and "upon completion of the sale," Mr. Radly would be CEO of both Inova and Xumanii.

2. Xumanii Board minutes of December 15, 2013. Signed by President of Xumanii, Adam Radly, announces that the above transaction "cannot be completed."

3. SEC Filing on December 16, 2013 of Xumanii for the quarterly period ended 10/31/13. On October 1, 2013, Xumanii announced that it was to acquire RFID business, Trakkers LLC, for two million preferred shares of Xumanii, who's preferred shares had a face value of \$1per share. This valued Trakkers at \$2 million. This acquisition entered escrow on October 1, 2013. However, the structure of the acquisition was such that it would have added approximately \$4 million of debt to the Xumanii while only adding approximately \$1.4 million of revenue. Therefore Xumanii took the view that this transaction did not meet the conditions required for closing and that it was not in the best interests of the Xumanii to proceed with the acquisition. Therefore, the transaction was canceled.

4. LENDER, BOONE'S, FORECLOSURE NOTICE. This document indicates that the secured lender intended to conduct a foreclosure sale of Trakkers and all of its assets on 12/23/13. This indicates no other entity owns Trakkers at this time.


1 5. MONTANA SECRETARY OF STATE LISTING. This indicates that Randall Stern, Boon
2 principal, and Harish Chander, to the exclusion of anyone else, were managing members of Trakkers.

3
4 6. SUPOENA TO TRANSFER AGENT. This document requests Empire to provide shareholder
5 lists from 9/30/13 and 2/25/14.
6

7
8 7. EMPIRE REPLY TO SUBPOENA. This document states that "Of the records described in the
9 subpoena duces tecum, EMPIRE STOCK TRANSFER INC. does not have the following: Items B
10 and C." (On the items requested by the subpoena duces tecum). This means that through 2/25/14 no
11 preferred shares of Xumanii had been issued to anyone.
12

13
14 8. EMPIRE LETTER FEBRUARY 20, 2014. This letter reiterates that Xumanii had preferred
15 shares, but none had been issued as of that date.
16

17 9. RADLY AFFIDAVIT. This document confirms that Mr. Bates had no ownership or authority in
18 Inova to sell assets.
19

20
21 
22 Darrel W. Lewis
23 Superior Court Judge, Retired
24 June 23, 2018
25
26
27
28