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10 Attorneys for Plaintiff

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

13 **VICTOR HANNAN**, individually and on
14 behalf of a class of similarly situated
15 persons,

16 Plaintiff,

17 vs.

18 **THE TULVING COMPANY, INC.**, a
19 California Corporation, and **HANNES**
20 **TULVING, JR.** a California resident.

21 Defendants.

Case No. 5:14-cv-01054-EJD

DECLARATION OF KARL S.
KRONENBERGER IN SUPPORT OF
PLAINTIFF'S EX PARTE MOTION
FOR TEMPORARY RESTRAINING
ORDER





1 I, Karl S. Kronenberger, declare as follows:

2 1. I am a Partner of the law firm Kronenberger Rosenfeld, LLP, one of the
3 law firms that represents Plaintiff Victor Hannan and the proposed classes in the above-
4 captioned matter.

5 2. I submit this declaration in support of Plaintiff’s *Ex Parte* Motion for
6 Temporary Restraining Order and Order to Show Cause Regarding Preliminary
7 Injunction (the “Motion”). I have personal knowledge of the facts set forth in this
8 declaration and could testify competently to them if called upon to do so.

9 3. My co-counsel and I have conducted an investigation into the claims made
10 in the Complaint in this action. During the course of that investigation, we have located
11 various documents that support Plaintiff’s claims. I attach hereto relevant documents
12 that support Plaintiff’s claims and the Motion.

13 4. Attached hereto as **Exhibit A** is a true and accurate copy of the entry for
14 The Tulving Company, Inc. (“Tulving Company”) on the California Secretary of State’s
15 website, retrieved on March 5, 2014.

16 5. Attached hereto as **Exhibit B** is a true and accurate copy of the landing
17 page of the website for Tulving Company, retrieved from <http://www.tulving.com> on
18 March 5, 2014.

19 6. Attached hereto as **Exhibit C** is a true and accurate copy of the Better
20 Business Bureau website entry for Tulving Company, retrieved on March 6, 2014.

21 7. Attached hereto as **Exhibit D** is a true and accurate copy of a webpage
22 entitled “All About Hannes Tulving, Jr., President of The Tulving Company And His
23 Family Members That Currently Work At The Tulving Co.,” retrieved on March 5, 2014
24 from Tulving Company’s website, <http://www.tulving.com/htinfo.html>.

25 8. Attached hereto as **Exhibit E** is a true and accurate copy of a webpage
26 entitled “The Tulving Company – Out of Business,” retrieved on March 6, 2014 from
27 <http://about.ag/TulvingOld.htm>.

28 9. Attached hereto as **Exhibit F** is a true and accurate copy of a webpage

1 entitled "Tulving Company Wiring Instructions" retrieved on March 5, 2014 from Tulving
2 Company's website, <http://www.tulving.com/ref.html>.

3 10. Attached hereto as **Exhibit G** is a true and accurate copy of a webpage
4 entitled "Are You Tired Of Waiting Weeks Months For Your Bullion From Other Dealers?
5 We Offer Free Overnight Shipping Within 48 Working Hours Of Receipt Of A Wire!"
6 retrieved on March 6, 2014 from an archived version of the Tulving Company's website,
7 https://web.archive.org/web/20131127102914/http://tulving.com/New%20Pages/free_overnight_shipping.htm.
8

9 11. Attached hereto as **Exhibit H** is a true and accurate copy of a webpage
10 entitled "Tulving Delivery Complaints," retrieved on March 6, 2014 from
11 <http://about.ag/data/csv/TulvingComplaints.htm>.

12 12. Attached hereto as **Exhibit I** is a true and accurate copy of a webpage
13 entitled "Tulving Warning !!!!!," retrieved on March 6, 2014 from
14 <http://www.tfmetsreport.com/forum/5076/tulving-warning>.

15 13. Attached hereto as **Exhibit J** is a true and accurate copy of a webpage
16 entitled "Company Report: The Tulving Company, Inc.," retrieved on March 6, 2014
17 from <http://www.businessconsumeralliance.org/report/the-tulving-company-inc-13090180>.
18

19 14. Attached hereto as **Exhibit K** is a true and accurate copy of a webpage
20 entitled "The Tulving Company," retrieved on March 6, 2014 from
21 <http://www.trustlink.org/Reviews/The-Tulving-Company-205766286>.

22 15. Attached hereto as **Exhibit L** is a true and accurate copy of a webpage
23 entitled "Tulving," retrieved on March 6, 2014 from
24 <http://golddealerreviews.com/reviews/gold-dealers/3-tulving>.

25 16. Attached hereto as **Exhibit M** is a true and accurate copy of an online
26 article from the website of the Orange County Register dated February 12, 2014,
27 retrieved on March 6, 2014 from <http://www.ocregister.com/articles/coins-601179-tulving-gold.html>.
28

1 17. Attached hereto as **Exhibit N** is a true and accurate copy of an online
2 article from the website “The Street” entitled “Tuesday, March 4: Today in Gold and
3 Silver,” retrieved on March 6, 2014 from [http://www.thestreet.com/story/12487202/1/
4 tuesday-march-4-today-in-gold-and-silver.html](http://www.thestreet.com/story/12487202/1/tuesday-march-4-today-in-gold-and-silver.html).

5 18. Attached hereto as **Exhibit O** are excerpts of a true and accurate copy of
6 the Federal Trade Commission’s 1990 Annual Report, retrieved on March 6, 2014 from
7 [http://www.ftc.gov/sites/default/files/documents/reports_annual/annual-report-1990/
8 ar1990_0.pdf](http://www.ftc.gov/sites/default/files/documents/reports_annual/annual-report-1990/ar1990_0.pdf).

9 19. Attached hereto as **Exhibit P** is a true and accurate copy of a Federal
10 Trade Commission memorandum, retrieved on March 6, 2014 from
11 [http://www.ftc.gov/reports/aging-analysis-redress-funds-held-account-memorandum-
12 jodie-bernstein-director-bureau](http://www.ftc.gov/reports/aging-analysis-redress-funds-held-account-memorandum-jodie-bernstein-director-bureau).

13 20. Attached hereto as **Exhibit Q** is a true and accurate copy of an online
14 article dated August 17, 1990 from the Los Angeles Times, retrieved on March 6, 2014
15 from http://articles.latimes.com/1990-08-17/business/fi-864_1_coin-dealers.

16 21. Attached hereto as **Exhibit R** is a true and accurate copy of an online
17 article dated June 19, 1992 from the Los Angeles Times, retrieved on March 6, 2014
18 from http://articles.latimes.com/1992-06-19/business/fi-556_1_rare-coins.

19 I declare under penalty of perjury under the laws of the United States of America
20 that the foregoing is true and correct and that this Declaration was executed on March
21 7, 2014.

22
23 s/ Karl Kronenberger

24 Karl S. Kronenberger