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4 Attorneys for Defendant/Cross-Complainant,
SAM SIAMAK NAMDARIAN, AKOO, INC.

6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

7 **IN AND FOR THE COUNTY OF FRESNO**

8 DELI DELICIOUS FRANCHISING, INC.,

9 Plaintiff,

10 vs.

11 SAM SIAMAK NAMDARIAN, AKOO, INC.,
and DOES 1 through 50, inclusive

12 Defendants.

CASE NO.: 20CECG02037

**DECLARATION OF ALVIN LEWIS IN
OPPOSITION THE REQUEST FOR
PRELIMINARY INJUNCTION**

DATE: October 7, 2010

Time: 3:30 P.m.

Dept. 501

Trial Date: TBA

13 **AND RELATED CROSS COMPLAINT**

14 I, ALVIN LEWIS, DECLARE:

15 1. I am an adult person and a resident of County of Fresno. If asked to testify, I shall
16 competently testify as follows:

17 2. I am the president of Fresno French Bread Bakery, Inc. dba Basque French Bakery. I have
18 been in bakery business for over 50 years. I supervise and daily operate the Basque French Bakery
19 and know the facts of this declaration based on my personal knowledge.

20 3. Basque French Bakery provided freshly baked sandwich breads to Deli Delicious restaurants
21 from their inception as a single store owned by Hadi Hobab and continues to provide the same
quality bread to several of other Deli Delicious franchises, even today.

22 4. We use organic products, specifically organic flour, in manufacture of our bread. The bread
23 served at all Deli Delicious restaurants which are produced by us are the same type and brand,

24

1 except ours is freshly baked and served. That is because we have been providing our breads for
2 over 20 years to Deli Delicious restaurants.

3 5. Our baked breads are never frozen after baking.

4 6. We have the capacity to furnish all the needs of all Deli Delicious franchises.

5 7. Deli Delicious representative Ali Nekumanesh and several others toured our facility,
6 obtained our recipes, and copied our process under the guise of quality assurance. They never
7 issued any corrective notices to us.

8 8. Thereafter, DD's Bakery was formed by the people who I believe to be the owners of Deli
9 Delicious Franchising, Inc. to manufacture their own bread using basically our work product.
10 Shortly thereafter, they sent me a proposal to become an approved provider of bread, only if I were
11 to agree to freeze my baked bread before they are delivered to the restaurants.

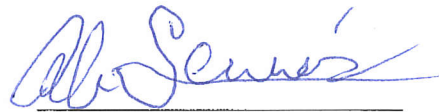
12 9. Being a baker for over 50 years, I know that the bread loses its quality and desirability if it is
13 frozen after it is baked. So, I refused to ruin my product by freezing it. Then, I was removed as a
14 supplier for Deli Delicious.

15 10. I believe that the bread we manufacture here at Basque French Bakery is superior to any
16 similar product and in fact I know it is superior to any frozen bread regardless of the manufacturer.

17 11. I will continue to supply fresh quality bread to the Defendants named here as long as they
18 want me to do so.

19 I declare, under the penalty of perjury and under the laws of State of California that the
20 foregoing to be correct and true.

21 Dated: August 14, 2020



ALVIN LEWIS, DECLARANT