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4 Attorneys for
ORION DOUGLAS MEMMOTT
5

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

11 ORION DOUGLAS MEMMOTT,)

12 Defendants.)
13

No. CR. S-08-402 FCD

DECLARATION OF ORION
DOUGLAS MEMMOTT IN
SUPPORT OF MOTION TO
DISMISS COUNT ONE

Judge: Honorable Kimberly
J. Mueller
Date: March 31, 2011
Time: 10:00 a.m.

14 I, Orion Douglas Memmott, hereby declare:

- 15 1. I am the defendant in this matter. I submit this Declaration in
16 support of my Motion to Dismiss Count One of the Superceding
17 Indictment.
- 18 2. On June 9, 2005, I met with an IRS Revenue Officer named Miller
19 and filled out a Form 433A, Collection Information Statement for
20 Wage Earners and Self-Employed Individuals. (A copy of that Form
21 433A is attached to this Declaration as Exhibit A.)
- 22 3. In response to Question 11, asking for me to list all my checking
23 accounts, the Revenue Officer, after discussing this question with
24 me, wrote "no personal accounts" and drew a line through the
25 question and had me initial on the line.
- 26 4. In response to Question 20, asking "list all real estate you own,"
27 the Revenue Officer, after discussing the question with me, drew
28

1 a line through the question and had me initial the line.

2 5. In response to Section 9, asking for my total income, I wrote in
3 \$1,129 on the line for Social Security.

4 6. On the day that I signed the Form 433-A, the residence at 1024
5 Washington Street, Willows, California was titled in the name of
6 Sheila Enos-Boyd, who is now my ex-wife. Ms. Boyd and I were in
7 the process of litigating the property settlement in our divorce. At
8 that time, Ms. Enos-Boyd was claiming the house as her property.

9 7. On the day that I signed the Form 433-A, I did not have any
10 personal bank accounts but I was a signatory on the bank accounts
11 that were owned by the following business entities:

- 12 a. Audience Alliance, Inc., a corporation;
- 13 b. Cinemax, a corporation;
- 14 c. Whitelight Motion Pictures, Inc., a corporation; and
- 15 d. American Ventures Group, a partnership.

16 I declare under the penalty of perjury under the laws of California that the
17 foregoing is true and correct. Executed in Grants Pass, Oregon, this 1st day of
18 February, 2010.

19 /s/ Orion Douglas Memmott
20 Orion Douglas Memmott