

COMMISSIONERS
TOM FORESE – Chairman
BOB BURNS
DOUG LITTLE
ANDY TOBIN
BOYD DUNN



ARIZONA CORPORATION COMMISSION



05813875
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

Date 01/27/2017

MATTRESS MAGIC, LLC
8455 S EMERALD DR #105
TEMPE, AZ 85284

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 01/26/2017 as agent for **MATTRESS MAGIC, LLC**:

Case caption: **VIAMEDIA INC v. BEST SHOT PRODUCTION LLC; ET AL,**
Case number: **CV2016-053043** Court: **MARICOPA COUNTY, SUPERIOR COURT**

- ☐ Summons
- ☐ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☒ Other **AFFIDAVIT ON ENTRY OF DEFAULT**

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **GM**
File number **L-1719705-6**

COMMISSIONERS
TOM FORESE – Chairman
BOB BURNS
DOUG LITTLE
ANDY TOBIN
BOYD DUNN



TED VOGT
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

CERTIFICATE OF MAILING

The undersigned person certifies the following facts:

On **01/27/2017**, **GEORGE MOYA**, an employee of the Arizona Corporation Commission ("ACC"), received on behalf of the ACC service of the following documents upon the ACC as agent for **MATTRESS MAGIC, LLC**.

Case caption: **VIAMEDIA INC v. BEST SHOT PRODUCTION LLC; ET AL,**
Case number: **CV2016-053043**
Court: **MARICOPA COUNTY, SUPERIOR COURT**

- | | |
|--|--|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input checked="" type="checkbox"/> Other AFFIDAVIT ON ENTRY OF DEFAULT | |

On **01/27/2017**, the undersigned person placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to the entity at its last known place of business address, as follows:

MATTRESS MAGIC, LLC
8455 S EMERALD DR #105
TEMPE, AZ 85284

OR

The undersigned was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Printed name: **GEORGE MOYA**

Date: **01/27/2017**

Signature: _____

1 Gurstel Chargo PA
2 9320 East Raintree Drive
3 Scottsdale, AZ 85260
4 BY: Steven T. Long (#021190)
5 Michael A. Stephani (#033140)
6 Attorneys for Plaintiff
7 Telephone: (877) 344-4002
8 Facsimile: (877) 750-6335
9 Email: info@gurstel.com
10 File number: COM21328

11 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
12 IN AND FOR THE COUNTY OF MARICOPA

13 Viamedia, Inc., a Pennsylvania corporation
14 Plaintiff,

15 vs.

16 Best Shot Productions, L.L.C., an Arizona
17 limited liability company dba Mattress RX Inc.,
18 aka Comfort Zone; Mattress Magic, LLC an
19 Arizona limited liability company
20 Defendants

Case No. CV2016-053043

21 **APPLICATION FOR**
22 **-and-**
23 **AFFIDAVIT ON**
24 **ENTRY OF DEFAULT**

25 Plaintiff, by and through undersigned counsel, hereby states:

26 1. I am the attorney for the Plaintiff in this action and make this Affidavit to show the
27 fact and manner of compliance with the provisions of Rule 55, Ariz.R.Civ.P.

28 2. The following party in this action, against whom a judgment for affirmative relief is
sought, has failed to plead or otherwise defend within the time periods prescribed by the
provisions of Rule 12, Ariz.R.Civ.P: Defendant(s): Best Shot Productions, L.L.C., an Arizona
limited liability company dba Mattress RX Inc., aka Comfort Zone; Mattress Magic, LLC an
Arizona limited liability company

3. Affiant does not possess personal information for Defendants Best Shot Productions, L.L.C., an Arizona limited liability company dba Mattress RX Inc., aka Comfort Zone; Mattress Magic, LLC an Arizona limited liability company, above named, required to obtain Military Status Reports as issued by the Department of Defense Manpower Data Center.

4. By completing the Certificate of Mailing or Delivery at the bottom of this form, I certify that in compliance with the provisions of Rule 55(a)(1) Ariz.R.Civ.P., I have caused a copy of this Application and Affidavit to be mailed to the Defendant(s) at his/her last known address as notice that I have applied for default and default has been entered in this court case, **OR IF** I know the Defendant(s) who I claim to be in default, is/are represented by an attorney, I have ***also*** mailed a copy of this Application and Affidavit to that attorney.

WHEREFORE, Plaintiff, by and through undersigned counsel, hereby requests, pursuant to the provisions of Rule 55(a) Ariz.R.Civ.P., that the Clerk of this Court enter the default of Defendant(s).

NOTE:

If the Defendant fails to file a responsive pleading or otherwise defend in this action WITHIN TEN (10) working days of the filing of this Application, default judgment will be entered.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on this 19th day of January, 2017.

GURSTEL CHARGO PA

/S/Steven T. Long

Steven T. Long (#021190) x

Attorneys for Plaintiff

CERTIFICATE OF MAILING

Documents: Application for - and - Affidavit on Entry of Default

A copy of the foregoing was mailed this 19th day of January, 2017 to:

Best Shot Productions LLC
Mattress Magic, LLC
c/o Arizona Corporation Commission
1300 W Washington St
Phoenix, AZ 85007

By:/s/ Dan Olin

Tag Process Service Inc.
637 S 48th St, 101
Tempe, AZ 85281
(602) 254-3900

COPY

DEC 09 2016

Maricopa County Superior Court
201 W. Jefferson, Phoenix, AZ 85003



MICHAEL K. JEANES, CLERK
J. BAKER
DEPUTY CLERK

**Viamedia, Inc., a Pennsylvania
corporation,**

NO. CV2016-053043

CERTIFICATE OF SERVICE

Plaintiff,

vs.

**Best Shot Productions, L.L.C., an Arizona
limited liability company dba Mattress RX
Inc., aka Comfort Zone; & Mattress
Magic, LLC an Arizona limited liability
company,**



Defendant,

The undersigned certifies under penalty of perjury:

I received **Summons, Complaint and Certificate of Compulsory Arbitration** from **Gurstel
Chargo P.A.** and served:

Mattress Magic, LLC

By handing a true and accurate copy of the above documents to **Trish Alonzo, Administrative
Assistant for the Arizona Corporation Commission** (authorized to accept service of process for
Mattress Magic, LLC) at **1300 W Washington St, Phoenix, AZ 85007** at approximately **3:28
PM on 11/30/2016.**

Comments/Prev. Attempts: **D2/Mattress Magic, LLC served through the Arizona Corporation
Commission;**

Location Type: **Business**

Description of person served:

Sex: **Female** Skin: **Hispanic** Hair: **Black** Age: **30** Height: **5ft 06in** Weight: **160 lbs**

I declare under penalty of perjury that the forgoing is true and correct.

Signed on the 6 day of Dec, 2016

X

Don Foutz

Maricopa County MC-4513

Date Served: **11/30/2016**

Court Case#: **CV2016-053043**

Our Job#: **40547**

Client/Atty File#: **COM21328**

Fees:

Fee To Advance \$25.00

Service Fee \$53.00

TOTAL: \$78.00



Tag Process Service Inc.
637 S 48th St, 101
Tempe, AZ 85281
(602) 254-3900

COPY

DEC 09 2016



MICHAEL K. JEANES, CLERK
J. BAKER
DEPUTY CLERK

Maricopa County Superior Court
201 W. Jefferson, Phoenix, AZ 85003

Viamedia, Inc., a Pennsylvania
corporation,

NO. CV2016-053043

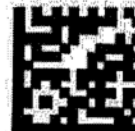
CERTIFICATE OF SERVICE

Plaintiff,

vs.

Best Shot Productions, L.L.C., an Arizona
limited liability company dba Mattress RX
Inc., aka Comfort Zone; & Mattress
Magic, LLC an Arizona limited liability
company,

Defendant,



The undersigned certifies under penalty of perjury:

I received **Summons, Complaint and Certificate of Compulsory Arbitration** from **Gurstel Chargo P.A.** and served:

Best Shot Productions, L.L.C.

By handing a true and accurate copy of the above documents to **Trish Alonzo, Administrative Assistant for the Arizona Corporation Commission** (authorized to accept service of process for Best Shot Productions, L.L.C.) at **1300 W Washington St, Phoenix, AZ 85007** at approximately **3:28 PM on 11/30/2016**.

Comments/Prev. Attempts: **D1/Best Shot Productions, L.L.C. served through the Arizona Corporation Commission;**

Location Type: **Business**

Description of person served:

Sex: **Female** Skin: **Hispanic** Hair: **Black** Age: **30** Height: **5ft 06in** Weight: **160 lbs**

I declare under penalty of perjury that the forgoing is true and correct.

Signed on the 5 day of Dec, 2016

X

Don Foutz

Maricopa County MC-4513

Date Served: **11/30/2016**

Court Case#: **CV2016-053043**

Our Job#: **405475**

Client/Atty File#: **COM21328**

Fees:

Fee To Advance	\$25.00
Service Fee	\$53.00
TOTAL:	\$78.00



Gurstel Chargo

ATTORNEYS AT LAW

A PROFESSIONAL ASSOCIATION

January 19, 2017

All Correspondence:
9320 East Raintree Drive
Scottsdale, AZ 85260

Payment Processing Address:
6681 Country Club Drive
Golden Valley, MN 55427
(877) 344-4002 Phone
(877) 750-6335 Fax

www.gurstel.com

Offices in Minnesota, Arizona, Iowa,
Nebraska, Utah and Wisconsin

Best Shot Productions LLC
Mattress Magic, LLC
c/o Arizona Corporation Commission
1300 W Washington St
Phoenix, AZ 85007

RE: Creditor: Viamedia, Inc., a Pennsylvania corporation
Our file: COM21328
Court File No. CV2016-053043

Dear Sir/Madam:

Our records indicate a Summons and Complaint was served upon your client. The statutory time to Answer the Summons and Complaint has now expired. Enclosed, please find our firm's Application for and Affidavit on Entry of Default. If no response is filed within ten (10) days from the date of the enclosed, my client will be in the position where it may apply for a default judgment against your client.

This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

GURSTEL CHARGO PA
Attorneys at Law

Enclosure

Gurstel Chargo

ATTORNEYS AT LAW

A PROFESSIONAL ASSOCIATION

January 19, 2017

All Correspondence:
9320 East Raintree Drive
Scottsdale, AZ 85260

Payment Processing Address:
6681 Country Club Drive
Golden Valley, MN 55427
(877) 344-4002 Phone
(877) 750-6335 Fax

www.gurstel.com

Offices in Minnesota, Arizona, Iowa,
Nebraska, Utah and Wisconsin

Best Shot Productions LLC
Mattress Magic, LLC
c/o Arizona Corporation Commission
1300 W Washington St
Phoenix, AZ 85007

RE: Creditor: Viamedia, Inc., a Pennsylvania corporation
Our file: COM21328
Court File No. CV2016-053043

Dear Sir/Madam:

Our records indicate a Summons and Complaint was served upon your client. The statutory time to Answer the Summons and Complaint has now expired. Enclosed, please find our firm's Application for and Affidavit on Entry of Default. If no response is filed within ten (10) days from the date of the enclosed, my client will be in the position where it may apply for a default judgment against your client.

This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,

GURSTEL CHARGO PA
Attorneys at Law

Enclosure

Payment Details

Filing Type	General Civil - Superior Court
Jurisdiction	Maricopa - Superior Court
Form Set #	2064662
Case #	CV2016-053043
Keyword/Matter #	
Submission Name	Viamedia Inc Vs. Best Shot Productions L L C, Et.A
Transaction Date	01/19/2017 5:21 PM MST
Transaction #	5UA79594A48396728
Payment Status	Paid
Service	e-File

Provider Fee	\$ 6.00
Total	\$ 6.00

[Print Payment Details](#) [Close Window](#)

Tag Messenger
1027 E Washington St. Suite 100
Phoenix, AZ 85034
Ph: (602)254-3900

Maricopa County Superior Court
201 W. Jefferson, Phoenix, AZ 85003

Viamedia, Inc., a Pennsylvania corporation

Plaintiff,

vs.

NO. CV2016-053043

Best Shot Productions, L.L.C., an Arizona limited liability
company dba Mattress RX Inc., aka Comfort Zone; &
Mattress Magic, LLC an Arizona limited liability company

CERTIFICATE OF NON -
SERVICE

Defendant,



398945

The undersigned certifies under penalty of perjury:

I received: Summons, Complaint and Certificate of Compulsory Arbitration from Gurstel Chargo
P.A. and have been unable to effect service upon

Best Shot Productions LLC

The following attempts at service were made at 320 E Constitution Dr, Gilbert, AZ 85296 :

Thursday 10/20/2016-11:50 AM GPS: 33.32235, -111.7833115

Notes: This address is a residence. There was no answer, the dog was barking.

Monday 10/24/2016- 8:35 AM GPS: 33.3222504, -111.7831717

Notes: There was no answer, the dog was barking. The neighbor to the east didn't know who was there.

Sunday 10/30/2016- 9:56 AM GPS: 33.3225843, -111.7831717

Notes: A young boy answered the door and didn't know who Stat Agent Michelle Boyer is. I then spoke to his mom who said they have
been there since June 2016 and also didn't know who she is.

Comments/Prev. Attempts: Invalid/Michelle Boyer, Statutory Agent for Best Shot Productions, LLC not known here;
Location Type: Residential

I declare under penalty of perjury that the foregoing is true and correct.

Signed on the 2 day of Nov, 2016

X

Richard Schattenberg

Maricopa County - MC-7469

Date Of Last Attempt: 10/30/2016

Court Case#: CV2016-053043

Client/Atty File#: COM21328

Fees:

Service of Process \$53.00

TOTAL: \$53.00

Tag Messenger
1027 E Washington St. Suite 100
Phoenix, AZ 85034
Ph: (602)254-3900

Maricopa County Superior Court
201 W. Jefferson, Phoenix, AZ 85003

Viamedia, Inc., a Pennsylvania corporation

Plaintiff,

vs.

Best Shot Productions, L.L.C., an Arizona limited liability
company dba Mattress RX Inc., aka Comfort Zone; &
Mattress Magic, LLC an Arizona limited liability company

Defendant,

NO. CV2016-053043

CERTIFICATE OF NON -
SERVICE



398946

The undersigned certifies under penalty of perjury:

I received: **Summons, Complaint and Certificate of Compulsory Arbitration** from Gurstel Chargo
P.A. and have been unable to effect service upon

Mattress Magic, LLC

The following attempts at service were made at 8455 S Emerald Dr # 105 Tempe, AZ 85284 :

Friday 10/21/2016-11:24 AM GPS: 33.3396825, -111.9685976

Notes: Spoke with employee who stated that owner Bruce Kiraly is rarely ever in. No set schedule. Was not in on this attempt. I left my
phone number with the employee to give to Bruce if he comes in to call me.

Wednesday 10/26/2016- 2:42 PM GPS: 33.3396825, -111.9685976

Notes: Spoke with different employee who again reiterated that Bruce is rarely ever there. Not in on this attempt.

Friday 10/28/2016- 1:00 PM GPS: 33.3375815, -111.9673838

Notes: Again, owner Bruce was not in. Never any call back.

Comments/Prev. Attempts: Verified POE, Alternative Method of Service suggested; unable to make contact with Bruce Kiraly,
Statutory Agent for D2/Mattress Magic, LC;
Location Type: Business

I declare under penalty of perjury that the foregoing is true and correct.
Signed on the 2 day of Nov, 2016

X

James Merritt

Maricopa County - MC7733

Date Of Last Attempt: 10/28/2016

Court Case#: CV2016-053043

Client/Atty File#: COM21328

Fees:

Service of Process \$53.00

TOTAL: \$53.00

Tag Process Service Inc.
637 S 48th St, 101
Tempe, AZ 85281
(602) 254-3900

Maricopa County Superior Court
201 W. Jefferson, Phoenix, AZ 85003

**Viamedia, Inc., a Pennsylvania
corporation,**

NO. CV2016-053043

CERTIFICATE OF NON-SERVICE

Plaintiff,

vs.

**Best Shot Productions, L.L.C., an Arizona
limited liability company dba Mattress RX
Inc., aka Comfort Zone; & Mattress
Magic, LLC an Arizona limited liability
company,**

Defendant,



The undersigned certifies under penalty of perjury:

I received **Summons, Complaint and Certificate of Compulsory Arbitration** from **Gurstel Chargo P.A.** and have been unable to effect service upon:

Best Shot Productions, L.L.C.

The following attempts at service were made at **1005 S Power Rd Ste 104, Mesa, AZ 85206:**

Monday 11/28/2016-10:57 AM
Notes: Unit was vacant as visible.

Comments/Prev. Attempts: **Invalid/Vacant; Attempted to serve documents through Stat Agent/Michelle Boyer at the domestic address listed per the ACC; Suite is vacant;**
Location Type: **Business**

I declare under penalty of perjury that the forgoing is true and correct.

Signed on the 7 day of 12, 2016

X Mark Miller
Mark Miller
Maricopa County - MC-7547
Date Served: 11/28/2016
Court Case#: CV2016-053043
Our Job#: 403210
Client/Atty File#: COM21328

Fees:
Service Fee \$53.00
TOTAL: \$53.00



Tag Process Service Inc.
637 S 48th St, 101
Tempe, AZ 85281
(602) 254-3900

Maricopa County Superior Court
201 W. Jefferson, Phoenix, AZ 85003

Viamedia, Inc., a Pennsylvania
corporation,

NO. CV2016-053043

CERTIFICATE OF NON-SERVICE

Plaintiff,

vs.

Best Shot Productions, L.L.C., an Arizona
limited liability company dba Mattress RX
Inc., aka Comfort Zone; & Mattress
Magic, LLC an Arizona limited liability
company,

Defendant,



The undersigned certifies under penalty of perjury:

I received Summons, Complaint and Certificate of Compulsory Arbitration from Gurstel
Chargo P.A. and have been unable to effect service upon:

Mattress Magic, LLC

The following attempts at service were made at 1705 W Ruby Dr Ste 108, Tempe, AZ 85284:

Friday 11/18/2016-1:26 PM

Notes: Spoke with an employee who reiterated what another employee told me at the other store, which is that Bruce Kiraly is the owner and is rarely ever in. He was not in on this attempt. I've attempted service of these docs at a different store located in the same business complex literally within a stones throw of each other. I've left my phone number with different employees in the past and I still have yet to receive a call back.

Wednesday 11/23/2016-2:33 PM

Notes: Again, owner Bruce not in at both locations.

Friday 11/25/2016-12:59 PM

Notes: Again, owner Bruce not in at both locations.

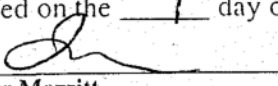
Wednesday 11/23/2016-2:33 PM

Notes: NOT IN

Comments/Prev. Attempts: Attempted to serve documents through Agent/Bruce Kiraly at the
address listed for him as a member per the ACC; This is a confirmed location for agent, but he
was not in on multiple attempts;
Location Type: Business

I declare under penalty of perjury that the forgoing is true and correct.
Signed on the 7 day of 12, 2016

X


James Merritt
Maricopa County - MC7733
Date Served: 11/25/2016
Court Case#: CV2016-053043
Our Job#: 403211
Client/Atty File#: COM21328

Fees:
Service Fee \$53.00
TOTAL: \$53.00



Corporate Maintenance

01/26/2017

State of Arizona Public Access System

3:43 PM

File Number: L-1719705-6

Corp. Name: MATTRESS MAGIC, LLC

Domestic Address

8455 S EMERALD DR #105

TEMPE, AZ 85284

Second Address

Agent: BRUCE KIRALY

Status: APPOINTED 01/07/2015

Mailing Address:

8455 S EMERALD DR #105

TEMPE, AZ 85284

Agent Last Updated: 01/29/2015

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 11/14/2011

Approval Date: 11/16/2011

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: GMOYA
Invoice No.: 5274191

Check Batch:
Invoice Date: 01/26/2017
Date Received: 01/26/2017
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1719705-6 MATTRESS MAGIC, LLC	\$25.00
Total Documents: \$		25.00
	CHECK 5505	\$25.00
	PAYMENT	
Balance Due: \$		0.00