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6 ROSS MIRKARIMI

7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SAN FRANCISCO

10  
11 THE PEOPLE OF THE STATE OF  
CALIFORNIA,

12 Plaintiff.

13 vs.

14 ROSS MIRKARIMI.

15 Defendant.

Case No. MCN 12001311

**DECLARATION OF EMIN TEKIN**

16  
17 I, Emin Tekin, declare and state as follows:

18 1. I am the owner and operator of the restaurant Hayes and Kebab, located at 580  
19 Hayes Street in San Francisco, California.

20 2. The restaurant has been located at the 580 Hayes Street location since January  
21 2011. Prior to that the restaurant was located for several years at 406 Hayes Street, which is  
22 approximately two blocks away from its current location.

23 3. I have known both Eliana Lopez (also "Ms. Lopez") and Ross Mirkarimi (also  
24 "Mr. Mirkarimi") for several years. They are both frequent customers of the restaurant.  
25  
26  
27

1           4.       On December 31, 2011, Eliana Lopez called the restaurant by telephone to place  
2 an order. This is not unusual. Many regular customers who live in the area call in their orders  
3 ahead of time.

4           5.       In the early evening hours of December 31, 2011, near 6:00 p.m., Ms. Lopez  
5 arrived at the restaurant to pick up her order. She had ordered one of our family meals. Ms.  
6 Lopez told me that she was proud of me because my restaurant was so busy. Ms. Lopez seemed  
7 very much herself. I have interacted with Ms. Lopez many times in the past, and nothing about  
8 my interaction with her on December 31<sup>st</sup> seemed different or unusual.  
9

10          6.       Ms. Lopez paid for her order with a Visa credit card.

11          7.       Attached as Exhibit A to this declaration is a true and correct copy of the credit  
12 card "merchant copy" receipt that was generated for the above described transaction. On the  
13 bottom of the receipt is Ms. Lopez's signature. Ms. Lopez signed the credit card receipt at the  
14 time of the purchase.  
15

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

17           Executed this February 26, 2012 at San Francisco, California.

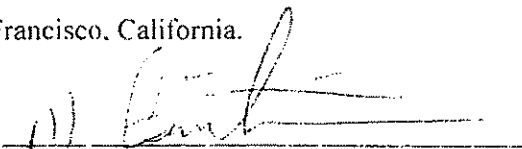
18  
19             
20           \_\_\_\_\_  
21           Emin Tekin  
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EXHIBIT A

HAYES KEBAB  
580 HAYES STREET  
SAN FRANCISCO CA 94102  
415-861-2977

12/31/2011 18:12:14  
Merchant ID: 530961230031931  
Device ID: 1017  
Terminal ID: PD04

CREDIT CARD

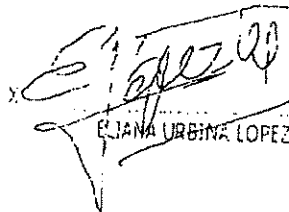
VISA SALE

CARD # XXXXXXXXXXXXX3447  
TRANS # 056  
Batch #: E  
Approval Code: 951420  
AC Code: E  
TRANS ID: 002001044553125  
Entry Method: Swiped  
Mode: Online

SALE AMOUNT \$21.59

TIP AMOUNT

TOTAL AMOUNT

  
EJANA URBINA LOPEZ

MERCHANT COPY