

1 LIDIA S. STIGLICH, State Bar No. 182100  
2 MICHAEL L. HINCKLEY, State Bar No. 161645  
3 STIGLICH & HINCKLEY, LLP  
4 803 Hearst Avenue  
5 Berkeley, California 94710  
6 Telephone: (510) 486-0800  
7 Facsimile: (510) 486-0801

8 Attorneys for Defendant  
9 ROSS MIRKARIMI

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SAN FRANCISCO

12 THE PEOPLE OF THE STATE OF  
13 CALIFORNIA,

14 Plaintiff,

15 vs.

16 ROSS MIRKARIMI,

17 Defendant.

Case No. MCN 12001311

**DECLARATION OF EMIN TEKIN**

18 I, Emin Tekin, declare and state as follows:

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

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

24 3. I have known both Eliana Lopez (also "Ms. Lopez") and Ross Mirkarimi (also  
25 "Mr. Mirkarimi") for several years. They are both frequent customers of the restaurant.  
26  
27  
28

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.

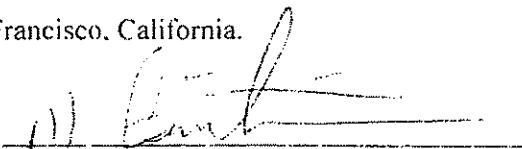
4           5.       In the early evening hours of December 31, 2011, near 6:00 p.m., Ms. Lopez  
5 arrived at the restaurant to pick up her order. She had ordered one of our family meals. Ms.  
6 Lopez told me that she was proud of me because my restaurant was so busy. Ms. Lopez seemed  
7 very much 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  
22  
23  
24  
25  
26  
27  
28