

ORIGINAL

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Adam L. Blum
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A-09-601050-C

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1 **OPPS**

2 REBECCA A. FULLER, ESQ.

3 Nevada Bar No. 9809

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5 Nevada Bar No. 11082

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7 10785 W. Twain Ave., Suite 110

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12 Attorneys for Defendants

13 IN THE EIGHTH JUDICIAL DISTRICT COURT

14 CLARK COUNTY, NEVADA

15 APPLIANCE DOCTOR, LLC, a Nevada
16 limited liability company,

17 Plaintiff,

18 v.

19 KENNETH JAGMIN, individually, dba THE
20 APPLIANCE DOCTOR OF LAS VEGAS;
21 MELISSA JAGMIN, individually, dba THE
22 APPLIANCE DOCTOR OF LAS VEGAS;
23 ATCHER SERVICE, LLC., a Nevada limited
24 liability company, dba THE APPLIANCE
25 DOCTOR OF LAS VEGAS; THE
26 APPLIANCE DOCTOR OF LAS VEGAS,
27 form of entity unknown; YELLOW BOOK
28 SALES AND DISTRIBUTION COMPANY,
INC., a Nevada corporation; DOES I through X
and ROE BUSINESS ENTITIES I through X,

Defendants.

Case No.: A601050

Dept. No.: II

**DEFENDANTS KENNETH JAGMIN,
MELISSA JAGMIN, AND THE
APPLIANCE DOCTOR OF LAS VEGAS'
OPPOSITION TO PLAINTIFF'S EX
PARTE APPLICATION FOR ORDER TO
SHOW CAUSE WHY DEFENDANTS
SHOULD NOT BE HELD IN CONTEMPT
OF COURT FOR THEIR WILLFUL
VIOLATION OF THE COURT'S
PRELIMINARY INJUNCTION ORDER**

COMES NOW, Defendants, Kenneth Jagmin, Melissa Jagmin, and Atcher Service, LLC.,

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F.L.P. FULLER LAW
P R A C T I C E

10785 W. Twain Ave., Suite 110

Las Vegas, Nevada 89135

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CLERK OF THE COURT

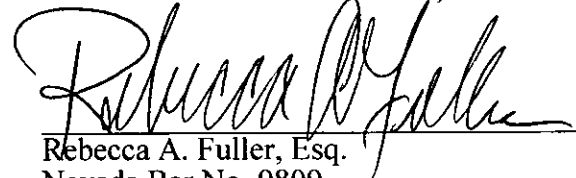
DEC 15 2009

RECEIVED

1 by and through their attorneys of record, Fuller Law Practice, PC, and hereby opposes Plaintiff's
2 Ex Parte Application for Order to Show Cause Why Defendants Should Not Be Held in
3 Contempt of Court for Their Willful Violation of the Court's Preliminary Injunction Order.

4 Dated this 15th day of December, 2009.

5 **FULLER LAW PRACTICE, PC**

6 

7 Rebecca A. Fuller, Esq.

8 Nevada Bar No. 9809

9 Joseph C. Chu, Esq.

10 Nevada Bar No. 11082

11 10785 W. Twain Ave., Suite 110

12 Las Vegas, Nevada 89135

13 PH (702) 553-3266 FX (702) 553-3267

14 Attorneys for Defendants

15 **POINTS AND AUTHORITIES**

16 **I. FACTS**

17 Defendants Kenneth Jagmin, Melissa Jagmin, and Atcher Service, LLC (hereinafter
18 collectively referred to as "Defendants") are engaged in the appliance repair business.
19 Approximately 60-90 days prior to the filing of this action, Defendants began operating under
20 the trade name, "The Appliance Doctor of Las Vegas." At the time they began operating under
21 this name, Defendants had not heard of Plaintiff.

22 Plaintiff maintains that it has operated under the name "Appliance Doctor" since 1983
23 and that it formally registered said name with the Nevada Secretary of State on or about October
24 2, 1983. However, the Certificate of Registration, on file herein,¹ indicates that this name was
25 not registered with the Secretary of State until September 29, 2009, seemingly in anticipation of
26 the instant litigation. Plaintiff has also failed to register "Appliance Doctor" with the United
27 States Patent and Trademark Office (USPTO) in accordance with the Lanham Act, 15 U.S.C. §
28 1051, et seq. Finally, as detailed in Defendants' Opposition to Plaintiff's Application for

¹ See Certificate of Registration, referenced as Exhibit "1" in support of Plaintiff's Application for Preliminary Injunction.

1 Preliminary Injunction, the trade name currently at issue was registered by Appliance Doctor,
2 Inc., in 1984 by a company in Wichita, Kansas. As such, upon performing a "Google" search of
3 "Appliance Doctor", it appears that several hundred companies, including Plaintiff, are
4 infringing on the USPTO trademark rights of Appliance Doctor, Inc.

5 Nevertheless, on October 28, 2009, an Order Granting Plaintiff Appliance Doctor, LLC's
6 Application for Preliminary Injunction was filed with this Court. The Order stated, in pertinent
7 part, that Defendants were to be enjoined from using the name "Appliance Doctor of Las Vegas"
8 in connection with any appliance repair service, and from advertising or promoting any such
9 service using this name anywhere in the state of Nevada.²

10 Accordingly, and immediately upon entry of said Order, Defendants began to diligently
11 and proactively disassociate themselves with the trade name "Appliance Doctor of Las Vegas",
12 taking extensive action to identify themselves exclusively as "Atcher Service". Defendants'
13 considerable efforts have been made with the express intent of timely complying with this
14 Court's October 28, 2009, preliminary injunction Order. Such efforts have included, but are not
15 limited to: (1) the process of removing the "Appliance Doctor of Las Vegas" name from all
16 company logos, (2) removal of references to "Appliance Doctor of Las Vegas" on nearly every
17 internet site over which Defendants have direct control, and (3) answering all business calls as
18 "Atcher Service."

19 As detailed below, Defendants' extensive networking efforts at the inception of their
20 business operations have made it difficult to timely dispose of each and every reference to the
21 trade name at issue. Many such references are embedded in internet sites – most of which are
22 operated by independent third-parties – and thus have been difficult to immediately remove.
23 Additionally, as of the filing of this Opposition, Defendants have had less than six weeks to
24 comply with the broad terms of the preliminary injunction. In light of the time elapsed,
25 Defendants have unquestionably demonstrated a good-faith effort to comply with this Court's
26 Order.

27 ///

28

² The referenced Order is attached as Exhibit "1" in support of Plaintiff's instant Application to Show Cause.

1 However, Plaintiff now seeks to hold Defendants in contempt of court for a variety of
2 purported violations of the preliminary injunction, most of which are related to website displays
3 and/or electronic forms of advertising. Plaintiff asserts that these alleged violations are "willful",
4 and that Defendants have "consciously chosen to disregard this Court's Preliminary Injunction
5 Order". Plaintiff is further requesting that the Court issue sanctions against Defendants "for their
6 continued and blatant disregard" of the October 28, 2009 Order. Accordingly, Defendants
7 respectfully submit the following Opposition.

8 II. LAW AND ARGUMENT

9 A. The Contempt of Court sought by Plaintiff requires proof that Defendants 10 have willfully and deliberately violated the Court Order.

11 In its Application, Plaintiff repeatedly alleges that Defendants have "consciously chosen
12 to disregard this Court's Preliminary Injunction Order", and that such conduct amounts to a
13 "willful violation". Plaintiff further requests that the Court issue "sanctions again Defendant for
14 their continued and blatant disregard" of said Order. In leveling such accusations, Plaintiff is
15 apparently seeking to have this Court hold Defendants in criminal contempt.

16 NRS 199.340 provides, in pertinent part:

17 Criminal contempt. Every person who shall commit a contempt of court of any
18 one of the following kinds shall be guilty of a misdemeanor:

- 18 (4) Willful disobedience to the lawful process or mandate of a court;
- (5) Resistance, willfully offered, to its lawful process or mandate.³

19 The imposition of sanctions sought by Plaintiff further reveals its intent to have
20 Defendants held in criminal contempt. When the Court's primary purpose is to punish those who
21 are in violation of an injunction, the contempt is criminal by nature. *City Council of Reno v. Reno*
22 *Newspapers*, 105 Nev. 886, 893, 784 P.2d 974 (1989). Similarly, where a fine is imposed as
23 punishment for such a violation, it is to be treated as a criminal proceeding. *Id*, citing *Ex parte*
24 *Sweeney*, 18 Nev. 74, 76 (1883); see also *In re Determination of the Relative Rights of the*
25 *Claimants and Appropriators of the Waters of the Humboldt River Stream System and*
26 *Tributaries*, 59 P.3d 1226, 118 Nev. 901 (2002). The Court in *Warner v. District Court*, 111

27
28 ³ Contrarily, NRS 22.010 provides, in pertinent part: "The following acts or omissions shall be deemed contempts:
(3) Disobedience or resistance to any lawful writ, order, rule or process issued by the court or judge at chambers.

1 Nev. 1379, 1383, 906 P.2d 707 (1995), relied on the United States Supreme Court in further
2 addressing this topic, explaining that “a criminal contempt sanction is intended to punish the
3 contemnor for disobeying a court order and, thus, must be determinate or unconditional.” *Citing*
4 *Hicks v. Feiock*, 485 U.S. 624, 633-35 (1988).

5 Here, Plaintiff seeks to punish Defendants – by way of sanctioning – for their allegedly
6 blatant and conscious violations of the terms of the preliminary injunction. Consequently,
7 Plaintiff must establish, beyond a reasonable doubt, that Defendants willfully disobeyed the
8 terms of this Court’s October 28, 2009, Order. *See City Council of Reno*, 105 Nev. at 893-94.
9 Additionally, it is important to note that “criminal contempt of court concerns the violation of a
10 penal statute and must be strictly construed in favor of those accused of violation its provisions.”
11 *Id.*, citing *Maxwell v. Rives*, 11 Nev. 213, 221 (1876).

12 As further detailed below, when strictly construing the facts of the instant matter in favor
13 of Defendants, Plaintiff wholly fails to satisfy its burden of establishing that Defendants willfully
14 and deliberately violated the terms of the preliminary injunction. Such failure justifiably
15 precludes Defendants from being held in criminal contempt of this Court.

16 **B. Defendants cannot be held in Contempt of Court as their actions and good-**
17 **faith efforts to comply with the Court Order fall woefully short of the willful**
18 **violation standard required by law.**

19 Discussing the legal standard for culpability in the context of criminal contempt, the
20 Nevada Supreme Court has stated: “[t]he word ‘willful’ when used in criminal statutes with
21 respect to proscribed conduct relates to an act or omission which is done intentionally,
22 deliberately or designedly, as distinguished from an act or omission done accidentally,
23 inadvertently, or innocently.” *City Council of Reno*, 105 Nev. at 894; *quoting Robey v. State*, 96
24 Nev. 459, 461, 611 P.2d 209 (1980). By this definition, Plaintiff cannot establish that any
25 deficiencies arising from Defendants’ efforts to comply with this Court’s Order have occurred
26 willfully. In other words, and notwithstanding Plaintiff’s unsubstantiated assertions to the
27 contrary, there is no evidence to suggest that Defendants possess the requisite intent to be held in
28 contempt.

1 Following the entry of the October 28, 2009 Order, Defendants took immediate action to
2 comply with the specific terms outlined by the Court. One measure immediately employed was
3 the modification of the company logo. The logo, which previously displayed the "Appliance
4 Doctor of Las Vegas" name, now exclusively bears the name "Atcher Service". This all-
5 encompassing logo alteration will affect every level of the company's exposure to the public.
6 The logo changes have been or will soon be implemented on the company's vehicles, uniforms,
7 letterhead, business cards and website (*see* Exhibit "A", attached hereto). Additionally, a
8 telephone call to the company's business number is now answered by stating the name "Atcher
9 Service", rather than "Appliance Doctor of Las Vegas", as had been the case prior to the
10 injunction.

11 Though many of Defendants' compliance efforts remain ongoing, the documentation
12 attached in support of the instant Opposition plainly demonstrates the considerable time and
13 energy spent towards reaching this objective. For instance, attached for the Court's review is a
14 collection of correspondence and related billing invoices, all of which evidence the wide-ranging
15 nature of Defendants' efforts (*see* Exhibit "B", attached hereto). Said correspondence includes
16 communications with the website administrator, uniform company, advertising agency, logo
17 design company, graphic designer and magnet printer. Moreover, a review of the content of this
18 correspondence is reflective of Defendants' urgent compliance efforts ("we just received an
19 injunction to stop operating as Appliance Doctor of LV. We need to get the logo patch artwork
20 going ASAP"; "change any text that reference Appliance Doctor, to our new name At'Cher
21 Service A/C & Appliance Repair").

22 Without regard for these efforts, Plaintiff's argument relies heavily on its investigation
23 and discovery of the "Appliance Doctor of Las Vegas" name displayed on various internet sites,
24 many of which are entirely beyond Defendants' control and revision powers. With respect to the
25 limited internet sites that are operated by Defendants, Defendants have employed, and will
26 continue to employ, measures to disassociate their company with the "Appliance Doctor of Las
27 Vegas" name.

28 ///

1 Moreover, the minimal uses of Plaintiff's trade name found on Defendants' website – as
2 referenced throughout Plaintiff's Application – can more accurately be characterized as trivial
3 oversights rather than disingenuous attempts to deceive. For example, Plaintiff references the
4 inclusion of the term "Appliance Repair Doctor" found under the "About" section of the "Atcher
5 Service" website. However, a review of this section reveals this to be an unintentional, isolated
6 inclusion, and further demonstrates that numerous other uses of this term have recently been
7 removed and/or modified to comport with the terms of the preliminary injunction. With respect
8 to the sole inclusion of the "Appliance Repair Doctor" name on the company website,
9 Defendants have made repeated requests to their website administrator to have this removed;
10 such removal should be effectuated in the immediate future but is presently beyond Defendants'
11 control.

12 Additionally, other uses of the "Appliance Doctor of Las Vegas" name on Defendants'
13 website, if any, are largely attributable to the hyper-technical nature of operating such sites and
14 modifying the content contained therein. Defendants are continuing to work on removing all
15 such prohibited references pursuant to completely separating their company, Atcher Service,
16 from Plaintiff's trade name. Defendants have also removed the "Facebook" page previously
17 bearing the "Appliance Doctor of Las Vegas" name. Finally, since the entry of this Court's
18 Order, Defendants have ensured that their company email addresses utilize the "Atcher Service"
19 name, exclusively.

20 Plaintiff's Application also relies heavily on internet sites owned and operated by
21 independent third parties. These websites, specifically those related to consumer reviews and
22 those providing a platform for electronic advertising/networking, cannot be unilaterally modified
23 by Defendants and require the action of each websites' third party administrator(s) to effectuate
24 the removal of Plaintiff's trade name. While Defendants' ongoing efforts have led to the
25 successful removal of the "Appliance Doctor of Las Vegas" name from a number of these
26 websites, the trade name's immediate removal from each and every site operated by a third-party
27 is an unrealistic expectation, particularly in consideration of Defendants' limited resources.
28 Defendants will continue to expend their time and energy towards effectuating these removals.

1 but Defendants' limited control warrants the Court's allowing for additional time to comply
2 beyond the mere six weeks afforded by Plaintiff.

3 **C. Despite Defendants' extensive efforts and substantial compliance with the**
4 **Court Order, additional time is necessary to ensure full compliance.**

5 Upon commencing business operations under the "Appliance Doctor of Las Vegas" trade
6 name a mere 60-90 days prior to the filing of this action, Defendants expended extensive efforts
7 to spread the word about their company and services. During that timeframe, Defendants
8 maintained the good-faith belief that the trade name at issue was rightfully theirs to use.
9 Pursuant to these business efforts, the "Appliance Doctor of Las Vegas" name was spread to
10 numerous advertising avenues and networking resources, many of which operate largely beyond
11 the purview of Defendants' oversight and control. Despite lacking the direct control needed to
12 immediately remove the "Appliance Doctor of Las Vegas" name from each and every internet
13 site, Defendants have been, and will continue to take diligent and proactive measures towards
14 completing this process.

15 While acknowledging that their compliance with this Court's Order has not been without
16 exception, Defendants adamantly maintain that (1) nearly all of these exceptions have occurred
17 due to circumstances beyond their control, and (2) the substantial, ongoing compliance efforts
18 taken by Defendants clearly demonstrate their good-faith intentions to fully cooperate with the
19 Court. Upon learning of the injunction, Defendants immediately planned for and implemented
20 countless modifications to their entire business, all of which have cost Defendants considerable
21 time and money. In that regard, it would be fundamentally unfair to hold Defendants in
22 contempt of court in light of the extent and sincerity of their compliance efforts. However, the
23 minimal time Defendants have been afforded since the entry of this Court's Order is insufficient
24 for the purposes of completely eradicating each and every reference to the "Appliance Doctor of
25 Las Vegas" trade name.

26 ///

27 ///

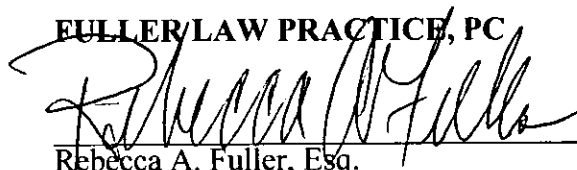
28 ///

FIP FULLER LAW
PRACTICE
10785 W. Twain Ave., Suite 110
Las Vegas, Nevada 89135
PH (702) 553-3266 FX (702) 553-3267

1 Thus, in light of their substantial compliance efforts – all of which are based soundly in
2 good-faith – Defendants respectfully request that this Court deny Plaintiff's Application for
3 Order to Show Cause and provide Defendants additional time to effectuate full compliance of
4 this Court's October 28, 2009 Order.

5 Dated this 15th day of December, 2009.

6 **FULLER LAW PRACTICE, PC**

7 

8 Rebecca A. Fuller, Esq.

9 Nevada Bar No. 9809

10 Joseph C. Chu, Esq.

11 Nevada Bar No. 11082

12 10785 W. Twain Ave., Suite 110

13 Las Vegas, Nevada 89135

14 PH (702) 553-3266 FX (702) 553-3267

15 Attorneys for Defendants

CERTIFICATE OF MAILING

I HEREBY CERTIFY that service of the foregoing DEFENDANTS KENNETH JAGMIN, MELISSA JAGMIN, AND THE APPLIANCE DOCTOR OF LAS VEGAS' OPPOSITION TO PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE WHY DEFENDANTS SHOULD NOT BE HELD IN CONTEMPT OF COURT FOR THEIR WILLFUL VIOLATION OF THE COURT'S PRELIMINARY INJUNCTION ORDER was made on December 15th, 2009, pursuant to NRCP 5(b) by ~~facsimile and by depositing~~ *by hand delivery* a copy of same in the United States Mail in Las Vegas, Nevada, ~~postage prepaid, addressed as follows:~~

Joseph Y. Hong, Esq.
Brian K. Walters, Esq.
Morris Polich & Purdy, LLP
3883 Howard Hughes Pkwy., Suite 560
Las Vegas, NV 89169
Fax: (702) 862-8400
Attorneys for Plaintiff

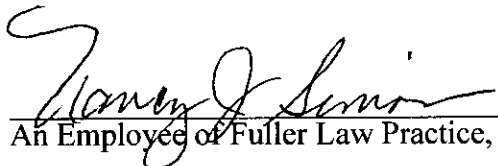

An Employee of Fuller Law Practice, PC

EXHIBIT A

OLD

new

FOR ALL OF YOUR APPLIANCE AND AIR
CONDITIONING NEEDS



OF LAS VEGAS

www.appliancedoctorlv.com

SERVICE TECHNICIAN
702-257-6611-OFFICE
702-641-9482-FAX

Atcher Service LLC
PO BOX 231629
Las Vegas, NV 89105

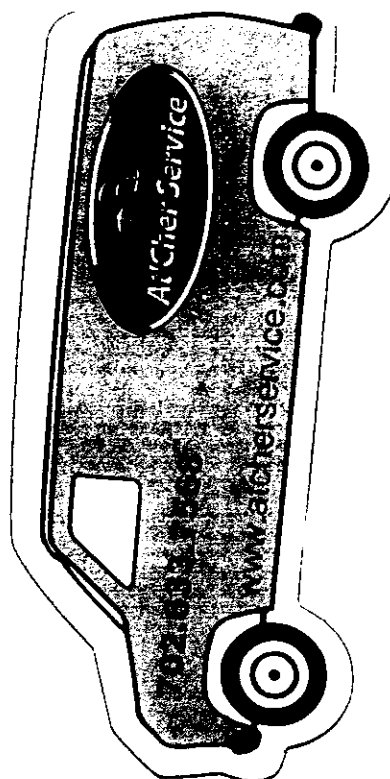
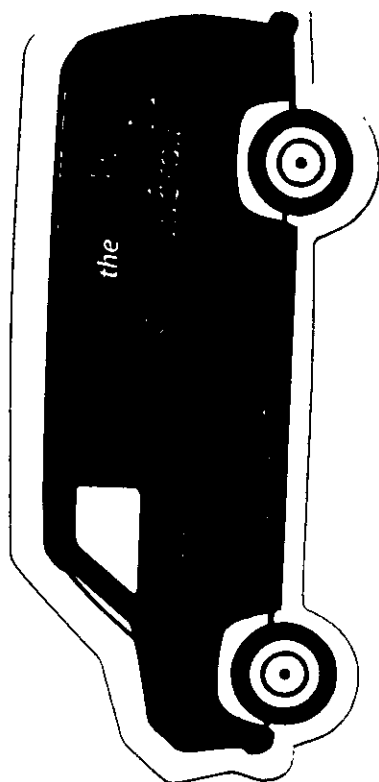


Air Conditioning and Appliance Repair

Kenneth Jagmin
Operations Manager

PO Box 231629 Las Vegas, NV 89105
Office: 702-633-7568
Fax: 702-641-9482

www.atcherservice.com
ken@atcherservice.com





Air Conditioning and Appliance Repair

Kenneth Jagrín
Operations Manager

PO Box 231629 Las Vegas, NV 89105

Office: 702-633-7568

Fax: 702-641-9482

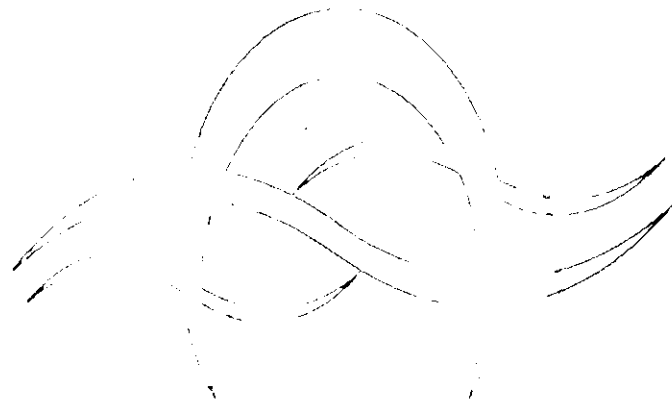
www.atcherservice.com

ken@atcherservice.com



Air Conditioning and Appliance Repair

PO Box 231629
Las Vegas, NV 89105





Air Conditioning and Appliance Repair



EXHIBIT B

Ken Jagmin

From: Bethany Vielleux [BVielleux@yodle.com]
Sent: Wednesday, November 11, 2009 5:22 PM
To: Ken Jagmin
Cc: Yusuf Javed
Subject: Following up

✈ Hey Ken,

I hope all is going well on your end. I really like the new business name, very catchy! The following changes have been made to reflect your new brand:

- All wording on the site that previously referenced "The Appliance Doctor" has been changed to "At'Cher Service Air Conditioning and Appliance Repair"
- We have replaced your old logo with the new one you sent over
- The call answering service will now answer the phone "Thank you for calling At'Cher Service Air Conditioning and Appliance Repair how may I help you?"
 - A quick side note here, I did check the call tracking numbers with Melissa and we have that call forwarding issue figured out – you should have 3 rings before our service picks up

I also have a couple suggestions about the account and what we can improve your results even more. I think your personal site, appliancedoctorlv.com, looks great and would convert well. It seems like you put a lot of work into it so if you would like, we could make a mirror of appliancedoctorlv.com and start directing traffic there instead of our adversite. Mirrors look exactly the same except our call tracking numbers will replace yours so that we are still able to track everything.

The second thing that I wanted to address is advertising for Air Conditioning work. This would increase the already high volume of leads that you have been getting and generate some new types of jobs for you. What do you think? That being said, our budget as it is now spends pretty evenly throughout the month for just appliance repairs. If AC work is something that you are interested in I would suggest we increase the budget so that we are able to handle the new volume of search traffic that will come with those types of keywords.

I will give you a call on Friday to discuss your thoughts on the suggestions above.

Talk to you soon,

Bethany M. Vielleux | Interactive Marketing Specialist
Direct #: (480) 455-6037
bvielleux@yodle.com | www.yodle.com

 medium

Ken Jagmin

From: Hotmail [kjagmin@hotmail.com]
Sent: Wednesday, November 04, 2009 9:07 PM
To: 'Scott_Grover@UNIFIRST.COM'
Subject: RE: Revised emblem

Scott,

I need to have the logo changed on our shirts. We just received an injunction to stop operating as Appliance Doctor of LV. We need to get the logo patch artwork going ASAP. Let me know what we need to do.

Thanks Ken

From: Scott_Grover@UNIFIRST.COM [mailto:Scott_Grover@UNIFIRST.COM]
Sent: Thursday, August 27, 2009 8:14 AM
To: Ken Jagmin
Subject: Revised emblem

Hi Ken,

Here is the revised emblem. Let me know what you think.

Thank you.
Scott D. Grover
Sales Representative
Unifirst Corporation
Cell 702-569-2323
Office 702-565-8791

Ken Jagmin

From: Hotmail [kjagmin@hotmail.com]
Sent: Tuesday, November 10, 2009 10:14 AM
To: 'Scott_Grover@UNIFIRST.COM'
Subject: RE: New emblem proof

Scott take the And out of the bottom lettering and use & symbol this way is does not look so cramped also the thread for the Atcher logo is that white of silver, if so use white of a light silver.

Thanks-ken

From: Scott_Grover@UNIFIRST.COM [mailto:Scott_Grover@UNIFIRST.COM]
Sent: Tuesday, November 10, 2009 9:40 AM
To: Hotmail
Subject: New emblem proof

Hi Ken,

Here is your proof for the new emblems. Please let me know if this is good to go.

Thank you very much.
Scott D. Grover
Sales Representative
Unifirst Corporation
Cell 702-569-2323
Office 702-565-8791

Ken Jagmin

From: Paul McClelland [paul@commercialsonhold.com]

Sent: Tuesday, November 03, 2009 11:18 AM

To: kjagmin@hotmail.com

Subject: New on hold productions

Good afternoon, Ken,

Attached are MP3 files of your new on hold productions for Atcher Service Air Conditioning and Appliance Repair. Also included is the complimentary holiday production. Please let me know if I can be of further assistance.

Paul McClelland
Commercials on Hold

12/8/2009

Ken Jagmin

From: Logo Design Works [contact@ringgle.com]
Sent: Wednesday, October 14, 2009 4:17 PM
To: kjagmin@hotmail.com
Subject: Logo Design Works Invoice



Hi Kenneth Jagmin,

Thank you for ordering from Logo Design Works. Here is your purchase invoice.

Invoice Date
14-Oct-2009

Invoice Number
1534

Kenneth Jagmin
5417 Bat Masterson Cir
Las Vegas, NV 89130
UNITED STATES

| Product Code | Product | Description | Unit Price | Tax | Quantity | Total |
|--------------|----------------|-------------|------------|--------|----------|---------|
| BRONZEDPUS | BRONZE Package | Deposit | \$47.00 | \$0.00 | 1 | \$47.00 |

Grand Total: \$47.00

Paid Already: \$47.00

Outstanding: \$0.00

Powered by Ringgle

12/8/2009

Ken Jagmin

From: Logo Design Works [order1@logodesignworks.com]
Sent: Wednesday, November 04, 2009 4:49 AM
To: kjagmin@hotmail.com
Subject: Thank you for your payment

Dear Kenneth,

Thank you for your payment. An invoice will be sent to you via email shortly.

Best Regards,

Logo Design Works Team

Phone: 216 373 0612

Ken Jagmin

From: Steve Arnold [notifications@logodesignworks.basecamphq.com]
Sent: Thursday, November 05, 2009 7:08 AM
To: Kenneth Jagmin
Subject: [Logo Design Studio Floor V 2.0] Initial Stationery Concept - ATCHER

--- Reply ABOVE THIS LINE to post a comment to the project --- \

Company: Atcher Service
Project: Atcher Service (Bronze/449806)
Link: <http://logodesignworks.basecamphq.com/P26852085>

Steve Arnold said:

.....
Read the original message, view comments, and download attachments at:
<http://logodesignworks.basecamphq.com/P26852085>

You can always check the Overview for the latest project activity:
<http://logodesignworks.basecamphq.com/projects/3850536/log>

To stop receiving emails when comments are posted to this message, visit:
<http://logodesignworks.basecamphq.com/posts/26852085/subscription/unsubscribe>

Ken Jagmin

From: sales@magnets.com
Sent: Friday, November 06, 2009 3:27 PM
To: kjagmin@hotmail.com
Subject: New Order # Magnets 2537

Phone: 866 229 8237
sales@magnets.com

Order Confirmation

Kenneth Jagmin,

This email confirms that your order was received at Magnets.com. You will receive an additional email once your order is shipped. Contact us if you have any questions about your order.

Thanks for using Magnets.com.

Order Information

Order number: Magnets2537
Order Date: 11/6/2009
Billing Address

Kenneth Jagmin
At'Cher Service A/C
kjagmin@hotmail.com
702-633-7568
5417 Bat Masterson Cir
Las Vegas, NV 89130 US

Order Summary

Additional Information

Account Info:
Login: kjagmin@hotmail.com
Payment Information

Payment Method
Pay after Approval of Artwork

Shipping To: Kenneth Jagmin At'Cher Service A/C
5417 Bat Masterson Cir Las Vegas, NV 89130 US

Shipping Method
Standard - FedEx
Ground

8005001 4.125x1.875 Cargo Van
Shaped Magnet -Plumbers,
Construction



Personalize
Air
Conditioning Appliance Repair
702-633-7568

www.atcherservice.com

Upload Art: [File](#)

\$0.32 x 1000

\$320.00

Subtotal: \$320.00
Discount: \$0.00
Shipping: \$25.00

Ken Jagmin

From: Creative Impact Printing Bill [bcpros@hotmail.com]
Sent: Thursday, December 03, 2009 2:28 PM
To: Ken Jagmin
Subject: vehicle templates

Sincerely

Bill Davidson
Creative Impact Printing
3230 Polaris Ave Suite 20
Las Vegas, Nevada, 89102
Cell-702-686-2041
Fax-702-386-6023



Get gifts for them and cashback for you. [Try Bing now.](#)

12/8/2009

Ken Jagmin

From: Hilery - Graphic Web Design [hilery@graphicwebdesign.net]

Sent: Monday, November 09, 2009 10:50 AM

To: 'Ken Jagmin'

Subject: Email Addresses

Hi Ken!

Adem mentioned about needing to change the email addresses to the new domain name.

I will need to create new email addresses with @atcherservice.com and then forward the old ones to the new ones.

When you have a chance, email me the list of address with passwords you will like to use and I can set those up right away.

On your end, you would just need to change in Outlook the settings from applaneddoctorlv.com to atcherservice.com once I switch the email accounts.

Thanks!
Hilery

Hilery Hixon, Web Designer
hilery@graphicwebdesign.net

Graphic Web Design
<http://www.graphicwebdesign.net>

Now Offering Print Design and Printing:
<http://www.graphicwebdesign.net/Printing-Services.html>

12/8/2009

Ken Jagmin

From: Hilery - Graphic Web Design [hilery@graphicwebdesign.net]

Sent: Monday, November 09, 2009 2:32 PM

To: 'Ken Jagmin'

Subject: RE: Emails

Okay, you're all set up!

Hilery Hixon, Web Designer
hilery@graphicwebdesign.net

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From: Ken Jagmin [mailto:ken@appliancedoctorlv.com]

Sent: Monday, November 09, 2009 1:22 PM

To: 'Hilery - Graphic Web Design'

Subject: RE: Emails

Forward that one to atcher@atcherservice.com

From: Hilery - Graphic Web Design [mailto:hilery@graphicwebdesign.net]

Sent: Monday, November 09, 2009 1:15 PM

To: 'Ken Jagmin'

Subject: Emails

Do you want arx@appliancedoctorlv.com forwarded to another address or leave it where it's at?

Hilery Hixon, Web Designer
hilery@graphicwebdesign.net

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Ken Jagmin

From: Bethany Vielleux [BVielleux@yodle.com]
Sent: Thursday, November 05, 2009 4:57 PM
To: Ken Jagmin
Cc: Yusuf Javed
Subject: RE: Appliance DR 911 Changes

Hi Mr. Jagmin,

It will take a day or two to sub out that logo so I have paused your account for the time being. We will get these changes made asap and then get back up and advertising!

Talk to you soon,

Bethany M. Vielleux | Interactive Marketing Specialist
Direct #: (480) 455-6037
bvielleux@yodle.com | www.yodle.com



From: Ken Jagmin [mailto:ken@appliancedoctorlv.com]
Sent: Wednesday, November 04, 2009 8:45 PM
To: Bethany Vielleux
Cc: Yusuf Javed
Subject: Appliance DR 911 Changes

I left you a message, but the short of it is that we have to change our name and everything on the web site to our new logo. I have attached a copy of the logo to place on the web page. If you can change any text that reference Appliance Doctor, to our new name At'Cher Service A/C & Appliance Repair. Per the legal injunction the site should be taken down but if there is no Appliance Doctor mentioned that would be great. I will be out of town on Thursday, if you have any questions feel free to call my cell at 702-538-2340 or call Melissa at 702-633-7568.

Thanks

Ken Jagmin



Ken Jagmin

From: Yusuf Javed [YJaved@yodle.com]
Sent: Wednesday, November 04, 2009 7:54 PM
To: Ken Jagmin
Cc: Bethany Vielleux
Subject: Re: Appliance DR 911 Changes

Hey Ken,

I just got your VM. Really sorry to hear about what happened. When I get in tomorrow, I will speak to Beth but she's also on PST time like you but I will work on this. Also I didn't know you did AC service also. Thanks and I will be in touch soon. Will keep you updated.

Thanks and Best.

Yusuf

On Nov 4, 2009, at 10:45 PM, "Ken Jagmin" <ken@appliancedoctorlv.com> wrote:

> I left you a message, but the short of it is that we have to change
> our name and everything on the web site to our new logo. I have
> attached a copy of the logo to place on the web page. If you can
> change any text that reference Appliance Doctor, to our new name At'
> Cher Service A/C & Appliance Repair. Per the legal injunction the si
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> that would be great. I will be out of town on Thursday, if you hav e
> any questions feel free to call my cell at 702-538-2340 or call M
> elissa at 702-633-7568.

>

> Thanks

>

> Ken Jagmin

>

> [cid:image001.jpg@01CA5D86.EA6DB6A0]

> [cid:image003.gif@01CA5D87.3F329C50]

>

> <image001.jpg>

> <image003.gif>

> <Atcher Service Air Conditiong-Final.zip>

Ken Jagmin

From: service@paypal.com
Sent: Tuesday, October 20, 2009 4:45 PM
To: ken@appliancedoctorlv.com
Subject: john Vasquez would like to be paid through PayPal

Oct 20, 2009 16:45:06 PDT

Hello ken@appliancedoctorlv.com,
john Vasquez would like to be paid through PayPal.

Merchant:
john Vasquez
pcmpayment@gmail.com

Note from merchant:
tri fold design

Details

Description: Service
Amount: \$95.00

Total: \$95.00 USD

john Vasquez would like you to use PayPal - the safer, easier way to pay and get paid online.
To send john Vasquez your payment and see the details of this invoice, copy and paste this link into your web browser:

https://www.paypal.com/us/cmd=_prq&id=XDzD-XErAQKF-02ExjZfg2wKYfn7lWJNb96ApQ

Questions? Go to the Help Center at: www.paypal.com/help.

Please do not reply to this email. This mailbox is not monitored and you will not receive a response. For assistance, log in to your PayPal account and click Help in the top right corner of any PayPal page.

To receive email notifications in plain text instead of HTML, log in to your PayPal account, go to your Profile, and click Notifications.

PayPal Email ID PP1525

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Impact Printing

Business Card Pros

BILL TO:

3230 Polaris Ave. #20
Las Vegas, NV 89102
(702) 386-6022
(702) 386-6023 Fax

www.BusinesscardsLV.com

Invoice

| DATE | INVOICE # |
|------------|-----------|
| 11/21/2009 | 48388 |

AT-Cher Air Condition Service
PO Box 231629
Las Vegas, NV 89105

Make Check Payable to:
Creative Impact Printing

| Contact Person | PO # | | TERMS |
|-----------------------------|------|--------|-----------------|
| Ken | | | Due Upon Re... |
| DESCRIPTION | QTY | RATE | AMOUNT |
| 1,000 Full Color Letterhead | | 225.00 | 225.00T |
| 1,000 #10 Envelopes | | 95.00 | 95.00T |
| Negatives and Plates | 2 | 15.00 | 30.00T |
| Sales Tax (8.1%) | | | \$28.35 |
| Sub Total | | | \$378.35 |
| Payments/Credits | | | \$0.00 |
| Balance Due | | | \$378.35 |

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Business Card Pros.

BILL TO:

3230 Polaris Ave. #20
Las Vegas, NV 89102
(702) 386-6022
(702) 386-6023 Fax

www.BusinesscardsLV.com

Invoice

| DATE | INVOICE # |
|------------|-----------|
| 11/20/2009 | 48341 |

AT-Cher Air Condition Service
PO Box 231629
Las Vegas, NV 89105

Make Check Payable to:
Creative Impact Printing

| Contact Person | PO # | | TERMS |
|--|------|-------|----------------|
| Ken | | | Due Upon Re... |
| DESCRIPTION | QTY | RATE | AMOUNT |
| 1,000 Full Color Business Cards David Bieber Chris Alexander Kyle Wakeman Blanks Kenneth Jagmin | 5 | 70.00 | 350.00T |
| Sales Tax (8.1%) | | | \$28.35 |
| Sub Total | | | \$378.35 |
| Payments/Credits | | | \$0.00 |
| Balance Due | | | \$378.35 |

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Business Card Pros

BILL TO:

3230 Polaris Ave. #20
Las Vegas, NV 89102
(702) 386-6022
(702) 386-6023 Fax

www.BusinesscardsLV.com

Invoice

| DATE | INVOICE # |
|------------|-----------|
| 12/02/2009 | 48458 |

AT-Cher Air Condition Service
PO Box 231629
Las Vegas, NV 89105

Make Check Payable to:
Creative Impact Printing

| Contact Person | PO # | | TERMS |
|--|------|--------|-----------------|
| Ken | | | Due Upon Re... |
| DESCRIPTION | QTY | RATE | AMOUNT |
| 1,000 Stickers 3-1/4 x 1-1/4" | | 120.00 | 120.00T |
| 1,000 Full Color Brochures 100lb Gloss Text | | 365.00 | 365.00T |
| Sales Tax (8.1%) | | | \$39.29 |
| Sub Total | | | \$524.29 |
| Payments/Credits | | | \$0.00 |
| Balance Due | | | \$524.29 |