

DAVID J. WOLF,

Plaintiff,

v.

ARLAND CLEAN FUELS, LLC,

Defendant.

JEFFERSON CO CIRCUIT COURT
FILED

MAY 30 2013

Case No. 12-CV-906

____ O'CLOCK ____ M.
CARLA J. ROBINSON, Clerk

**AFFIDAVIT OF JACOB OSOJNAK IN SUPPORT OF PLAINTIFF'S BRIEF IN
OPPOSITION TO DEFENDANT'S MOTION TO VACATE JUDGMENT**

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

Jacob Osojnak, being first duly sworn, on oath, deposes and states:

1. I am an adult resident of the State of Illinois. I am a licensed detective and have worked as a process server in the State of Illinois since 1999. I am familiar with the requirements as related to service of process generally, as well as those specifically enumerated under the Wisconsin Rules of Civil Procedure and Illinois Code of Civil Procedure.

2. On December 20, 2012, I received an assignment from ATG LegalServe to serve an authenticated copy of a Summons and Complaint on Arland Clean Fuels, LLC ("Arland"), at 630 Davis Street, Suite 300, Evanston Illinois 60201. The work order stated that the "person accepting must be authorized to accept. Please obtain name and title along with their description." The work order did not name a specific person to be served.

3. On December 24, 2012, at approximately 10:50 a.m., I entered the offices of Arland. I was approached by an individual who later identified himself as Michael Bertogli. I told him that I had legal documents for Arland, and asked if he was authorized to accept service. He stated that he was not sure but that he would ask a co-worker. He left the vicinity

for the apparent purpose of conferring with a co-worker in accordance with his statement to me. He returned and stated that he would accept the documents but would not sign for them. I handed him the documents and, after leaving the building, recorded his name, title, and physical description on my worksheet as requested.

4. In addition to working as a process server, I also serve as a contractor for private investigation services. In this capacity, I was engaged by Chase Paymentech, LLC (“Chase”), a subsidiary of JPMorgan Chase Bank, N.A., to contact Louis Stern (the Chief Executive Officer for GFC Resources now f/k/a Arland) for an inspection of Equity Asset Finance (“EAF”) at 630 Davis Street, Suite 300, Evanston Illinois 60201 (the same address as used for the principle business address of GFC Resources now f/k/a Arland). When I called Mr. Stern to arrange the inspection he requested that I deal directly with Michael Bertogli. I contacted Mr. Bertogli and he agreed to host the inspection. On March 6, 2013, at 1:05 p.m. I performed the inspection with Mr. Bertogli. When I arrived at the address there was a sign for Arland posted on the door, but no sign for EAF. Mr. Bertogli answered questions about business operations, explained to me that EAF financed the operations of Arland, and allowed me to take interior photographs of the workspace. Based upon my interactions and conversations with Mr. Bertogli, it was clear to me that he was knowledgeable about the business operations of and performed work for both companies.

Dated this ___ day of May, 2013.

Jacob Osojnak

Subscribed and sworn to before me this
___ day of May, 2013.

Notary Public, Cook County, Illinois.
My Commission: _____.