

Cause No. 2022-49770

BLACK STONE INVESTMENT GROUP	§	IN THE DISTRICT COURT OF
LLC d/b/a/ Blackstone Construction	§	
and Restoration	§	
	§	HARRIS COUNTY, TEXAS
V.	§	
	§	
KOOROSH OLYAIE, a/k/a Kevin Olyaie	§	
individually and d/b/a PDA HOA 5801	§	
Winsome d/b/a Piazza del Arte Homeowners	§	
Association, and as agent for Nazanin Fowzi	§	
a/k/a Nazanin Fowzi Bekhradi, a/k/a	§	
Fowzi Nazanin, and NAZANIN FOWZI	§	
a/k/a Nazanin Fowzi Bekhradi and a/k/a	§	
Fowzi Nazanin	§	<u>333rd</u> JUDICIAL DISTRICT

PLAINTIFF'S MOTION FOR SUBSTITUTE SERVICE OF PROCESS

Plaintiff BLACK STONE INVESTMENT GROUP LLC d/b/a/ Blackstone Construction and Restoration (BLACKSTONE) asks the Court to authorize substitute service of process on Defendant FOWZI NAZANIN (a/k/a FOWZI BEKHRADI NAZANIN) pursuant to TRCP 106(b).

BLACKSTONE filed this suit on sworn account, breach of contract, and quantum meruit and for foreclosure of a mechanic's lien against the Defendant relating to remediation of freeze damage and mitigation, repairs and remodeling services as requested, and for which she has failed to pay.

Process Server Margaret D. Vozar ("Vozar") unsuccessfully attempted personal service upon FOWZI NAZANIN (a/k/a FOWZI BEKHRADI NAZANIN) on three separate occasions pursuant to TRCP 106(a)(1) at her usual place of abode, 5367 Fieldwood Dr., Houston, TX 77056.

On Monday, August 22, 2022, at 4:51 PM, a 1st attempt was made to deliver documents to FOWZI NAZANIN at 5367 Fieldwood Dr., Houston, TX 77056. A middle-aged man answered the door identifying himself as Fowzi Nazanin's husband. He stated she was in LA with her mother who

is ill. He stated he expected her back next week. Ms. Vozar left her business card and asked him to contact her when his wife was back in town. He asked what was being delivered and Ms. Vozar informed him they were legal documents. He asked who was suing his wife and Ms. Vozar said Blackstone Investment Group, he seemed to acknowledge he knew Blackstone by the way he nodded his head.

On Thursday September 1, 2022, after not hearing from the subject, Ms. Vozar made a 2nd attempt to deliver legal papers to FOWZI NAZANIN at the address above. The same middle-aged man again answered the door. He stated Fowzi Nazanin was still in LA and now her mother was hospitalized. He did not know when she would be home. Ms. Vozar asked if he would accept service if we were given permission by a judge. He responded that he would.

On Friday, September 2, 2022, Ms. Vozar received a phone call from 713-398-0065. The caller identified himself as Alphonso, the husband of the woman to whom she was attempting to deliver legal papers. He then stated he had called his wife who believes these legal papers are for her mother who she is with, in LA, at the hospital. The mother is 90 years old and extremely ill. The mother has previously lived with Alphonso and his wife.

BLACKSTONE attaches the affidavit of Margaret D. Vozar detailing these events to this motion, and requests this Court grant this Motion for Service under Rule 106(b) on FOWZI NAZANIN (a/k/a FOWZI BEKHRADI NAZANIN) and allow service by posting or delivering to any person over sixteen (16) years of age at the residence.

Because the Plaintiff has attempted to serve the Defendant pursuant to TRCP 106(a)(1) but has not been successful, Plaintiff asks the Court to authorize them to serve the Defendant by:

- (a) leaving a copy of the citation together with a copy of Plaintiff's Original Petition and the order authorizing substitute service attached to anyone over the age of sixteen (16) years of age at 5367 Fieldwood Dr., Houston, TX 77056. ; or
- (b) by firmly affixing a true copy of the citation together with a copy of Plaintiff's Original Petition and the order authorizing substitute service attached to the front door of 5367 Fieldwood Dr., Houston, TX 77056.

For these reasons, Plaintiff BLACK STONE INVESTMENT GROUP LLC d/b/a/ Blackstone Construction and Restoration (BLACKSTONE) asks the Court to authorize substitute service on Defendant FOWZI NAZANIN (a/k/a FOWZI BEKHRADI NAZANIN).

Respectfully Submitted,

WALTER LAW FIRM, P.C.

/s/ Teri A Walter

TERI A. WALTER

Texas Bar No. 20815100

1111 North Loop West, Suite 1115

Houston, TX 77008

Phone 713 529-2020

Fax 713 529-2266

Email: twalter@prevaillawyers.com

ATTORNEY FOR PLAINTIFF

BLACK STONE INVESTMENT GROUP, LLC,

d/b/a BLACKSTONE Construction and Restoration

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Stephanie Sanchez on behalf of Teri Walter

Bar No. 20815100

ssanchez@prevaillawyers.com

Envelope ID: 68106177

Status as of 9/9/2022 12:51 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Teri A.Walter		twalter@prevaillawyers.com	9/9/2022 12:30:11 PM	SENT
Stephanie Sanchez		ssanchez@prevaillawyers.com	9/9/2022 12:30:11 PM	SENT
Malinda Mata		MMata@prevaillawyers.com	9/9/2022 12:30:11 PM	SENT