

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Edward W. Miller, Circuit Court Judge

Trial Court Case No.: 2011-CP-23-07338
Appellate Case No. 2015-000162

RECEIVED
NOV 06 2015
SC Court of Appeals

Pankaj Patel, individually and derivatively on behalf of Nominal Defendant,
VP Enterprises, Inc.,Appellant,

v.

Krish Patel, Vijay Patel, and P Communications, Inc., Respondents.

**APPENDIX TO THE
RECORD ON APPEAL**

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ATTORNEYS FOR RESPONDENTS

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September 6, 2013

OFFICE OF THE GENERAL COUNSEL

William M. Hogan, Esq.
The Gilreath Law Firm, P.A.
PO Box 2147
Greenville, SC 29602

RE: Pankaj Patel v. Krish Patel and P. Communications, Inc.
Case No.: 2011-CP-23-7338

Dear Mr. Hogan:

This is in response to your subpoena dated August 5, 2013, to Jeff Smith, an instructor at the University of South Carolina Upstate, seeking education records pertaining to Krish Patel. The requested business plan submitted by Krish Patel is enclosed. We redacted the name of the other student who worked on the assignment.

Krish Patel took the following courses taught by Jeff Smith:

SBAD 225 Fall 2005: Kirsh Patel's final grade was D+. Course description: Financial Accounting (3) Principles of external financial reporting for business entities, including income measurement and determination of financial position. Prerequisites: SMTH 120 or 121 or 126.

SBAD 471 Spring 2008: Kirsh Patel's final grade was B. Course description: New Business Enterprise (3) Analysis of business opportunities; planning and establishing a business organization to exploit an opportunity; management of a small business. Prerequisite: SBAD 371.

Please contact me at (803)777-7854 if you have any questions.

Sincerely,

Henry J. White
Associate General Counsel

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SEP 9 2013
Gilreath Law Firm, P.A.

Enclosure

UNIVERSITY OF SOUTH CAROLINA • COLUMBIA, SOUTH CAROLINA 29208 • 803/777-7854 • FAX 803/777-9500

USC000001

AN AFFIRMATIVE ACTION / EQUAL OPPORTUNITY INSTITUTION

Pl. Trial Documents 00145 B

000002

2008

Verizon Wireless Agent Business Plan



verizon wireless

Recycle Here

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Pl. Trial Documents 00145 C

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OWNERS

Jay Krish Inc.
408 Ashby Park Lane
Greenville, SC 29607
864-275-5605
864-451-7533
KrishV.Patel@Hotmail.Com

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Pl. Trial Documents 00145 **D**

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ii. Executive Summary

This business model consist of retail authorized Verizon Wireless retail locations. The product being sold is Verizon Wireless service, equipment and accessories. Verizon Wireless has invested more than \$40 billion since the company was formed to increase the coverage and capacity of its national network and to add new services. Verizon Wireless currently serves 65.7 million customers. The voice network reliability test results have consistently shown that the rate of ineffective attempts for the Verizon Wireless national network, in major metropolitan centers and some remote areas, is lower than any other national carrier.

Verizon Wireless owns and operates the nation's most reliable wireless network, serving 65.7 million voice and data customers. Leveraging its greatest asset - its network - Verizon Wireless continues to lead the industry by offering the highest quality products and services while introducing innovative technology solutions.

Verizon Wireless Authorized Agents earn a commission, co-op accruals and account maintenance fees for the activation of customers on Verizon Wireless calling plans according to their agency agreements. Verizon Wireless performs all billing, collections and customer service for the Verizon Wireless customers activated by the Authorized Agent. Authorized Agents identify themselves as authorized agents of Verizon Wireless and use Verizon Wireless trademarks in accordance with their agency agreement. The Verizon Wireless indirect channel vision is to have strategic alliances with Authorized Agents by having a finite number of locations that are strategically placed within the market place.

The target market will be anyone of age 6 and up. The cellular industry is an evolving and growing business. The continuing growth will allow our business to expand and make a substantial profit. The focus of this business is to grow into multi retail locations. Multi locations result in a higher net profit. The key to success in this agent program is location, low cost equipment purchases, management and operations. This business could evolve over time becoming a large multi million dollar company. The future of this industry lies in the hands of new technology.

Initial start up capital of each location is projected to be \$50,000 per location. That cost includes inventory, furniture, fixture, rent, salary compensation if needed, pos systems and legal services. Additionally, Verizon Wireless will pay \$12,000 per store opened as start up capital.

A small business loan will be necessary to get start up capital. The company will use real estate as collateral for the loan and personal guarantees. This money allows the business to start up and pay off over a period of time rather than using all personal capital.

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III. General Company Description

This company is formed by a group of local entrepreneurs. This South Carolina based company will operate Verizon Wireless agent location(s). Location(s) will be exclusive retail location(s) to purchase Verizon Wireless service and equipment.

Objective:

- To build the flagship agent store of Verizon Wireless in the district. Through sales, revenues and customer experience.
- To provide training and support for store personal, maintaining excellent moral of all store employees.
- To create the best possible customer experience resulting not only in customer loyalty and increasing sales for the store, but also for Verizon Wireless.
- To hold regular staff meetings that will result in the continued commitment of building one team, which, by working together will make our stores flagship agent stores of the district.

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IV. Products and Services

Our locations will have full intent to offer the complete line of products and wireless solutions provided by Verizon Wireless. By using a strategic inventory process control, we will be able to provide all different types of products to our consumers.

Service

A team of professional, motivated, positive and knowledgeable staff will be available for our customers.

Every customer will get the perfect customer experience from our sales team. All employees will go through extensive training when hired. The sales team will be intergraded with the communities' business events. All representatives will be trained on out bound and cold calling. Employees will be trained on how to generate small business leads as well as how to establish and create them. Employee will be trained on personal selling skills, customer first and probing models. Mystery shops will be conducted in order to evaluate and promote better performances. Employees will be trained on CDMA technology as well as evdo. As technology changes or improves all employees will be kept up to date.

Verizon Wireless VS. Competitors -- AT&T, T-Mobile, Sprint, Alltel,

The competitive advantage will be taught to be sure our employees providing consumers with accurate information.

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V. Marketing Plan And Strategy

Market Penetration

Entry into the market should not be a problem. The first store has extremely high visibility with heavy foot traffic all day long. The most traveled on and highest real estate value road in the Upstate of SC.

Marketing Strategy

Focusing on the unique service and professionalism. Courteous and knowledgeable sales consultants to provide consumers with all their wireless needs. Backed up by Verizon Wireless, Worry Free Guarantee

- Print media -- local newspapers, magazines and student publications
- Chamber of Commerce brochures
- Direct mail -- subscriber lists, office
- Misc. -- yellow pages, charity events
- Internet Website
- Corporate relations

The marketing effort will be split into 3 phases;

- 1) Opening -- An advanced notice sent out to our personal, business and community contacts.
- 2) Ongoing -- A flexible campaign with personal, business and community contacts, assessed regularly for effectiveness.
- 3) Point of sale -- A well-trained staff can increase the average check as well as enhancing the customer's overall experience. Word-of-mouth referral is very important in building a customer base.

Target Market.

The market for the Verizon Wireless products is anyone age 6 and up. The Upstate, SC market is densely populated and increases to grow. With ICAR research center and

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south financial bank coming into Greenville, it will increase the demand for cellular users.

Market Location & Customers

Our first location will be placed on Woodruff Road, the highest traffic count and real estate value in the Upstate of SC.

Local population -- the county of Greenville with a year-round population of 500,000 +-.
Local businesses -- The Chamber of Commerce lists over 6400 businesses. Companies such as Michelin, BMW, Ford, Jacobs, etc have large offices or corporate headquarters located here.

Venues: BI-Lo Center (16,000), Furman University, Timmons Arena (4,750), Sirmine Stadium (13,000),

Furman University Paladins Stadium (16,000), Furman University Soccer Stadium (3,000)

The student -- USC Upstate, the largest growing university in the state. Clemson, Furman, Greenville Tech, Bob Jones, North Greenville College

Competitive Strategy

Our locations will offer:

- A professional, perfect customer experience and total wireless solutions.
- Trained individuals, guided by professionals of the business industry.
- changing behaviors to change results
- High employee motivation and good sales attitude

Employee Training & Education

Employees will be trained not only in their specific operational duties but in the philosophy and applications of our concept. They will receive extensive information from the management and be kept informed of the latest information on the industry.

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Niche

Our company will be the one stop solution for the everyday consumer and small business clients. Our management and organization will be trained directly by individuals who have worked for and in this industry for several years. Our advantage will simply offer the total solution and no other agents in the upstate will be able to offer the service that we will.

Promotion

Our company will focus on building customer relationships and strive to keep high loyalty programs for our repeat clients. We will network within the community to offer our service to individuals and businesses.

Some of the promotional programs will include discounts on accessory items and waived equipment fees.

Pricing

Our pricing will reflect much of the corporate retail pricing. This will allow our company to stay competitive and make sustainable profits. Offering low prices will not necessarily be our mission but to provide service with the purchase.

Distribution Channels

Our channels will mostly consist of retail selling and b2b. As our company grows we will establish online purchasing.

Sales Forecast

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VI. Operational Plan

Our first store will consist of a director of operations. This person will manage day to day cash controls, inventory and sales tracking. Additionally they will train, develop and coach the sales staff. Sales staff will be conducting cold calls to generate sales leads during slow times. As the company expands, central management will expand as well.

Production

All equipment will be purchased directly from Verizon Wireless as a vendor. This will ensure the quality and durability of the product. Not only that but it will ensure the sensitivity of time on orders placed. Our inventory control will be conducted by a pos system but will also include cycle counts in opening and closing procedures.

Location

Our first proposed location will be on east side of Greenville. It is important to qualify a location which has other anchor retail stores surrounding to drive walking traffic. Our locations will be road front within mixed shopping centers and plenty of visibility and parking.

Our locations will be replica of corporate Verizon Wireless retail locations to provide the complete image. It is very important to stay consistent for all locations.

Locations will need to be around 1000 -1500 sq ft. Finding locations around the \$17-\$24 ft will be the criteria to stay within rent budget.

Legal Environment

An s-corp. will need to be created for the company. Also a retail sales license will be needed to do business in the state and county.

Personnel

Each location will need a maximum of 3 employees initially. The staff of three will be sales representatives. The individuals will need to be qualified individuals seeking a commission based sales position.

Good computer and verbal skills will be required. All staff will be trained by our company and Verizon Wireless. Using companies like staffing and recruiting agents will help find right individuals.

Pay will be based strictly on commission to keep staff motivated to sell. This is usually standard in this type of business.

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Upper management will be paid on salary plus commission on gross sales.

Inventory

Inventory levels will be maintained based on product promotions, vendor discounts and product demand. POS systems will allow the business to coordinate this process efficiently. ROP will be established on business supplies after understanding months of business needs.

Suppliers

The key supplier will be Verizon Wireless. This will ensure on time orders and quality warranted product.

Credit Policies

This business will not operate on any credits.

Managing Your Accounts Payable

The director of operations will control all accounts payable transactions using bank of America's business banking program for ease of use.

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VII. Management and Organization

Professional and Advisory Support

Krish V. Patel, CEO & President
Vijay R. Patel, Vice President

Corby Phillips, General Manager & Project Development
Krish V. Patel, Director of Sales & Operations

Alka V. Patel, Director of Training & Inventory Control
Jay Patel, Director of Marketing

S. Allan Hill – Attorney & Professional Business/Legal Support
Mukund Desai – CPA, Consultant

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IX. Startup Expenses and Capitalization

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Startup Expenses

Verizon Wireless

Sources of Capital

Owners' Investment (name and percent ownership)

Jay Krish Inc. \$ 10,000 (per location)

Total Investment \$ 10,000

Bank Loans

BB&T \$ 25,000

Bank of America 25,000

Total Bank Loans \$ 50,000

Startup Expenses

Capital Equipment List

Furniture and Fixtures \$ 6,000

Equipment 7,000

Other 5,000

Total Capital Equipment \$ 18,000

Location and Admin Expenses

Rental \$ 2,700

Utility deposits 50

Legal and accounting fees 500

Prepaid Insurance 200

Total Location and Admin Expenses \$ 3,450

Opening Inventory

Cellular Equipment \$ 10,000

Accessories 800

Total Inventory \$ 10,800

Advertising and Promotional Expenses

Advertising \$ 1,500

Signage 500

Printing 250

Total Advertising/Promotional Expenses \$ 2,250

Reserve for Contingencies \$ 1,600

Working Capital \$ 6,000

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Summary Statement

Sources of Capital

Owners' and other Investments	\$ 10,000
Bank loans	50,000

Total Source of Funds	\$ 60,000
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Startup Expenses

Capital equipment	18,000
Location/administration expenses	3,450
Opening inventory	10,800
Advertising/promotional expenses	2,250
Contingency fund	1,500
Working capital	5,000
Total Startup Expenses	\$ 41,000

Security and Collateral for Loan Proposal

Collateral for Loans	Value
Real estate	\$ 200,000

Owners
Jay Krish Inc.

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Balance Sheet (Projected)

Verizon Wireless

	Beginning as of 06/01/2008	Projected as of 06/01/2009
Assets		
<u>Current Assets</u>		
Cash in bank	\$ 60,000	\$ 66,269
Accounts receivable	-	1,406
Inventory	10,800	8,800
Prepaid expenses	3,450	3,450
Other current assets	5,000	5,000
Total Current Assets	<u>\$ 79,250</u>	<u>\$ 83,915</u>
<u>Fixed Assets</u>		
Machinery & equipment	\$ 7,000	\$ 7,000
Furniture & fixtures	6,000	6,000
Leasehold improvements	1,000	
(LESS accumulated depreciation on all fixed assets) \$375/month	-	(4,600)
Total Fixed Assets (net of depreciation)	<u>\$ 14,000</u>	<u>\$ 8,500</u>
Other		
Total Other Assets		
TOTAL Assets	<u>\$ 93,250</u>	<u>\$ 92,415</u>
Liabilities and Equity		
<u>Current Liabilities</u>		
Accounts payable	\$ 19,000	\$ 19,000
Interest payable (10%)	-	1,900
Taxes payable (6%)	1,140	1,140
Current part, long-term debt	-	-
Other current liabilities	11,560	6,000
Total Current Liabilities	<u>\$ 31,700</u>	<u>\$ 28,040</u>
<u>Long-term Debt</u>		
Bank loans payable	\$ 60,000	\$ 4,000
Other long term debt	1,550	-
Total Long-term Debt	<u>\$ 61,550</u>	<u>\$ 4,000</u>
Total Liabilities	<u>\$ 93,250</u>	<u>\$ 32,040</u>
<u>Owners' Equity</u>		
Invested capital	\$ 10,000	\$ 10,000
Retained earnings - beginning	-	-
Retained earnings - current	-	60,375
Total Owners' Equity	<u>\$ 10,000</u>	<u>\$ 60,375</u>
Total Liabilities & Equity	<u>\$ 93,250</u>	<u>\$ 92,415</u>

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Twelve-Month Cash Flow
Verion Wireless

Fiscal Year Begins: Jun-08

	Startup EST	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Total (Item EST)
Cash on Hand (beginning of month)	60,000	68,550	61,267	68,899	60,096	79,683	81,605	87,283	107,767	109,609	109,160	110,228	111,972	
CASH RECEIPTS														
Cash Sales	0	29,655	32,670	36,135	24,600	27,135	31,101	45,780	26,940	24,639	26,181	26,632	27,900	359,568
Collections fr CR accounts														
Loan/ other cash inf.														
TOTAL CASH RECEIPTS	0	29,655	32,670	36,135	24,600	27,135	31,101	45,780	26,940	24,639	26,181	26,632	27,900	359,568
Total Cash Available (before cash out)	60,000	88,205	83,937	105,034	104,696	106,818	112,706	133,063	134,697	134,248	135,341	137,660	139,872	359,568
CASH PAID OUT														
Unen Rental		15	15	15	15	15	15	15	15	15	15	15	15	180
Food and Beverage		75	75	75	75	75	75	75	75	75	75	75	75	900
Gross Wages		6,000	6,750	7,500	4,875	5,475	6,375	9,000	5,475	5,100	6,250	5,400	5,625	72,825
Payroll expenses														
Supplies (office & opet.)		130	130	130	130	130	130	130	130	130	130	130	130	1,560
Repairs & maintenance		500	500	500	500	500	500	500	500	500	500	500	500	6,000
Advertising		1,750	1,800	1,750	1,500	1,875	1,885	2,100	1,800	1,700	1,800	1,875	1,750	22,085
Credit Card Fees and Rental		960	960	960	960	960	960	960	960	960	960	960	960	11,520
Accounting & legal		500	350	400	350	275	500	600	550	550	476	376	400	5,775
Rent		2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	2,700	35,100
Telephone (60 *\$150)		9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	9,000	108,000
Utilities		60	800	800	800	800	800	800	800	800	800	800	800	9,600
Insurance		200	200	200	200	200	200	200	200	200	200	200	200	2,600
Taxes (real estate, etc.)		1,463	1,463	1,463	1,463	1,463	1,463	1,463	1,463	1,463	1,463	1,463	1,463	17,556
Interest		500	500	500	500	500	500	500	500	500	500	500	500	6,000
Pest Extermination		45	45	45	45	45	45	45	45	45	45	45	45	540
Professional Fees		100	100	100	100	100	100	100	100	100	100	100	100	1,200
Disposable Supplies		350	350	350	350	350	350	350	350	350	350	350	350	4,200
SUBTOTAL	3,450	24,938	25,788	26,438	23,888	24,638	25,793	28,488	24,563	24,188	24,363	24,488	24,613	305,641
Loan principal payment														
TOTAL CASH PAID OUT	3,450	24,938	25,788	26,438	23,888	24,638	25,793	28,488	24,563	24,188	24,363	24,488	24,613	305,641
Cash Position (end of month)	56,550	61,267	68,149	78,696	80,803	82,130	86,909	104,576	110,134	110,060	110,978	112,572	115,259	

ESSENTIAL OPERATING DATA (non cash flow information)														
Sales Volume (dollars)		29,655	32,670	38,135	24,600	27,135	31,101	45,700	26,940	24,633	29,181	25,832	27,900	339,668
Accounts Receivable		100	150	130	125	275	100	155	135	38	100	100	0	1,406
Bad Debt (end of month)		0	0	0	0	0	0	0	0	0	0	0	0	0
Inventory on hand (eom)	10,800	9,800	10,000	12,000	11,980	11,050	10,050	10,700	11,000	10,500	10,000	9,900	9,750	8,800
Accounts Payable (eom)	-19,000	-17,500	-18,625	-18,225	-17,000	-17,150	-16,800	-16,400	-16,750	-16,200	-16,800	-15,665	-16,000	-15,000
Depreciation	0	370	370	370	370	370	370	370	370	370	370	370	370	4,440

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Opening Day Balance Sheet
Verizon Wireless

Assets

Current Assets

Cash in Bank	\$ 60,000
Inventory	10,800
Prepaid Expenses	3,450
Other	5,000
Total Current Assets	<u>\$ 79,250</u>

Fixed Assets

Machinery & Equipment	\$ 7,000
Furniture & Fixtures	6,000
Leasehold Improvements	1,000
Real Estate / Buildings	-
Other	-
Total Fixed Assets	<u>\$ 14,000</u>

Other Assets

Other	\$ -
Total Other Assets	<u>\$ -</u>

Total Assets	<u>\$ 93,250</u>
---------------------	------------------

Liabilities & Net Worth

Current Liabilities

Accounts Payable	\$ 19,000
Taxes Payable	1,140
Notes Payable (due within 12 months)	-
Current Portion Long-term Debt	-
Other current liabilities	11,660
Total Current Liabilities	<u>\$ 31,700</u>

Long-term Liabilities

Bank Loans Payable (greater than 12 months)	\$ 60,000
Less: Short-term Portion	-
Notes Payable to Stockholders	-
Other long-term debt	1,650
Total Long-term Liabilities	<u>\$ 61,550</u>

Total Liabilities	<u>\$ 83,250</u>
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Owners' Equity (Net Worth)	<u>\$ 10,000</u>
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Total Liabilities & Net Worth	<u>\$ 93,250</u>
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Break Even Analysis

	profit per item	# sold	monthly total	yearly total
Sales Required				
New Activation	\$160	60	\$ 9,000.00	\$ 108,000.00
Renewals	\$45	10	\$ 450.00	\$ 5,400.00
Accessories	\$12	114	\$ 1,368.00	\$ 16,416.00
Bill Payments	\$3	7	\$ 21.00	\$ 252.00
				<u>\$ 130,068.00</u>

Fixed Cost

	per Month	yearly
Taxes	\$ 1,463.00	\$ 17,556.00
Salary	\$ 4,600.00	\$ 54,000.00
rent	\$ 2,700.00	\$ 32,400.00
utility	\$ 800.00	\$ 9,600.00
interest	\$ 600.00	\$ 488.00
depreclafion	\$ 375.00	\$ 4,500.00
Credit Card Fees	\$ 960.00	\$ 11,520.00
		<u>\$ 130,064.00</u>

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Pl. Trial Documents 00145 W

X. Financial Plan

12-Month Profit and Loss Projection

Four-Year Profit Projection (Optional)

Projected Cash Flow

Opening Day Balance Sheet

Break-Even Analysis

USC000023 X

Pl. Trial Documents 00145

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7/7/08

Vijay R. + Alka Patel

Son - Krish Patel

Comfort INN - Operated by R.G. Hospitality, LLC
Owned Ron Gadda + Vijay
(Vijay soon to purchase Ron's Interest)

Land + bldg, owned by Greenville
Hotel Partners, Inc (S Corp) - Vijay + Alka
OWNERS

Quality Inn R.G. Properties, LLC operates hotel +
1314 S. Pleasantburg owns bldg + Land
Owned by Vijay (40%) Ron Gadda (55%)
Jason Gadda (5%)

Mgt Co J Krish Co, Inc. (S Corp)
also owns 2 houses

Land for a new hotel VIP Hospitality, LLC Vijay owns 25%
(Butler Rd + 385)

KVP Investments + Operations, LLC
rents 1 house 25% Krish 25% Vijay 50% others

Verizon stores P-Communications, Inc. 90+% Krish
<10% Corby Phillips
(silent Partner)

Kaj 002010

PLAINTIFFS
EXHIBIT
42
IC-2010-1

Wireless Communications

January 2010

Attention: Patricia Cook, Verizon Wireless Operations/Legal

Subject: P Communications Inc, Ownership Change

Patricia,

- Please make the following changes to P Communications Inc. Keith Galley's 40% ownership has been surrendered to the Corporation. Therefore, 100% of the outstanding stock is under ownership of Krish Patel. Keith Galley will continue as the Director of Sales for the Company.

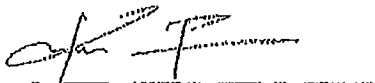
Sincerely,

Krish Patel - President

Wireless Communications

864-275-5605 ,C.

864-282-8050 ,O.



Krish V. Patel

Date: 1-25-10



Keith R. Galley

Date: 1-25-10

Wireless Communications
2007 Augusta St Greenville, SC 29605

Defendants 000619

Pl. Trial Document 00302

000026

Hot Wire

Twenty-something biz whiz Krish Patel made a good call

/ by Joe Gebert's

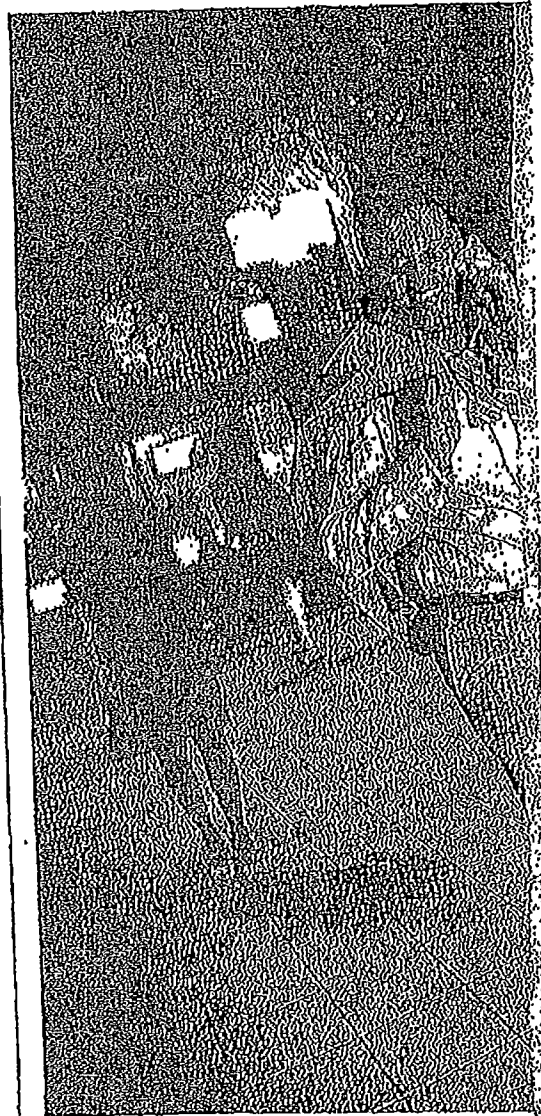
Maybe it's because he was born first that Krish Patel doesn't like coming in second. Krish has built what you might call a wireless empire across much of South Carolina and northern Georgia as the president of Wireless Communications, a premium retailer for Verizon Wireless. He is also only 25 years old, and, no, he made his fortune the old-fashioned way—he earned it.

His drive, determination, and entrepreneurial spirit were clearly handed down from his mother and father who came to the United States from Gujath, India. "They came with nothing but a dream," says Krish of his parents' spirit to succeed. They owned a liquor store business in Houston, where Krish was born, and a dry-cleaning business in Atlanta, before moving to Greenville, where they opened the very first hotel in Traveler's Rest (a Sleep Inn) and then another in 2000.

While still in middle school, Krish helped out with the housekeeping on the weekends for \$10 or sometimes \$20. After a string of retail jobs (three at one time when he was 16), he started as a customer service representative at Verizon when he was 18, and by his sophomore year of college at University of South Carolina—Upstate, Krish was working full time as both a sales rep and a student.

Sounds like a dream for that age, maybe? Not for Krish. He loved it. "I was working 40 hours a week, going to class full time, and it was incredible." He surpassed his sales quota that first year, reaching 187 percent. By the time he was 21, he decided to open his own Verizon store, launching Wireless Communications in 2008, the year he graduated college (using the business plan he had drafted in one of his college classes). By the end of 2009, he had opened five stores, and the company reached \$5.3 million in sales. He now has 23 stores, with plans to reach 30 by the end of this year, 50 by the end of next.

Krish, who also fluently speaks a dialect

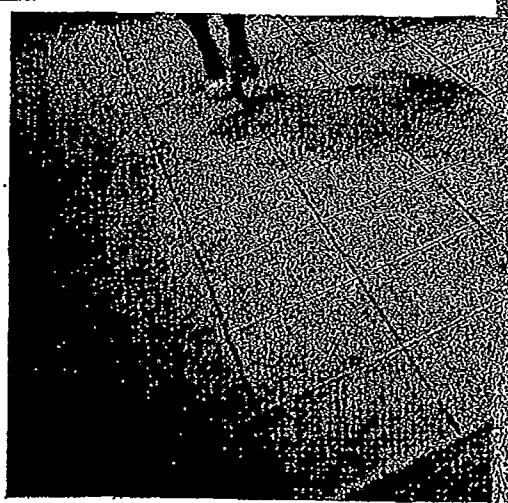


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full time as both a sales rep and a student.

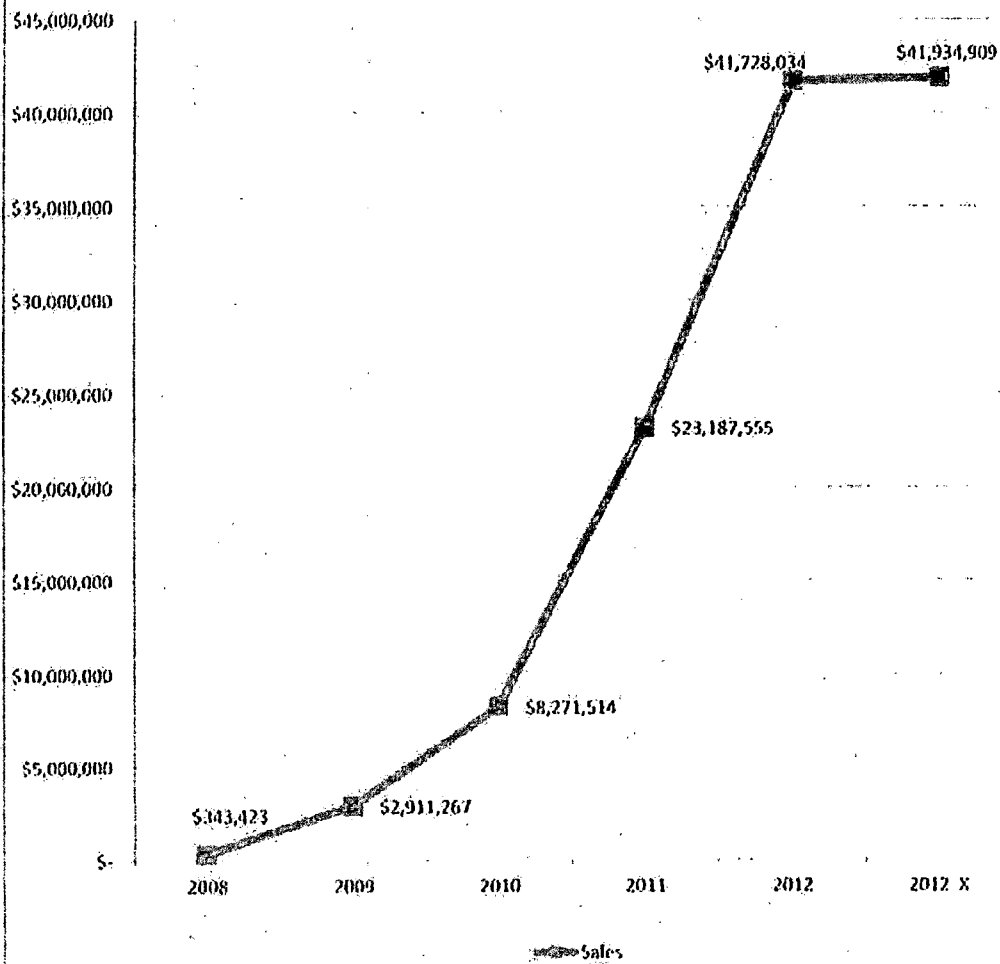
Sounds like a drag for that age, maybe? Not for Krish. He loved it. "I was working 40 hours a week, going to class full time, and it was incredible." He surpassed his sales quota that first year, reaching 137 percent. By the time he was 21, he decided to open his own Verizon store, launching Wireless Communications In 2008, the year he graduated college (using the business plan he had drafted in one of his college classes). By the end of 2009, he had opened five stores, and the company reached \$3.3 million in sales. He now has 23 stores, with plans to reach 30 by the end of this year, 50 by the end of next.

Krish, who also fluently speaks a dialect of Hindi, is not flashy about his success. "The bottom line is that it's never been about the money, it's always been about me being able to do something my parents did, which is to start something from nothing," he says. "The thing that I pride myself on is that I didn't have to take a handout from anyone. I did it on my own, as far as financially." Emotionally, however, Krish is endearingly humble and quickly acknowledges that he's only as good as the people he has surrounded himself with—including VJ Patel, the vice-president of Krish's business, who reports to the boss like his other nearly 200 employees do, but with one distinction—he also calls him "son."



Walk & Talk:
Krish Patel, 26, is the president and owner of Greenville-based company Wireless Communications, which he has grown to 23 stores, with plans to reach 30 by the end of the year.

**P Communications, Inc
Sales per Form 1120S
2008 to 2012**



Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Company Description

Kundo, Inc., a Massachusetts based company, will operate Abonda, a single unit, medium-sized restaurant serving healthy, contemporary style food. The restaurant will be located at 645 Deacon Street in Cambridge, Massachusetts.

- Mission Statement

The company's goal is that of a multi-faceted success. Our first responsibility is to the financial well-being of the restaurant. We will meet this goal while trying to consider; 1) the effect of our products on the health and well being of our customers (and our staff), 2) the impact that our business practices and choices will have on the environment, and 3) the high quality of attitude, fairness, understanding, and generosity between management, staff, customers, and vendors. Awareness of all these factors and the responsible actions that result will give our efforts a sense of purpose and meaning beyond our basic financial goals.

Tava Grill, Inc.

- Company Description

Tava Grill, Inc., a South Carolina based company, will operate Tava Grill, a single unit, small to medium-sized restaurant serving healthy Indian fusion cuisine. **Outside catering will also be operated out of the restaurant.** The restaurant will be located at _____ In Greenville, SC.

- Mission Statement

The company's goal is that of a multi-faceted success. Our first responsibility is to the financial well-being of the restaurant. We will meet this goal while trying to consider; **1) serving fresh and healthy food. 2) Highlight quality food. 3) The best service to our customers** and 4) the high quality of attitude, fairness, understanding, and generosity between management, staff, customers, and vendors. Awareness of all these factors and the responsible actions that result will give our efforts a sense of purpose and meaning beyond our basic financial goals.

Items in blue were added

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Development and Status

The company was incorporated in September on 1995 and elected sub-chapter S. The founders are Jack Morton and Wilma Mason. Jack is the President and Wilma the Vice President. There is a total of 10,000 shares of common stock issued. Wilma and Jack each own 3,000 and the remainder are retained by the company for future distribution. In addition they have loaned the company \$25,000 of their own money for research and start-up costs.

A suitable site for the first restaurant was found last month and lease negotiations are in final stages. The location will be on Deacon Street, just outside Harvard Square and close to a dense population of the target market. When the lease is signed there will be three months of free rent for construction and in that time the balance of the start-up funds must be raised. With that phase completed, Abonda Restaurant can then open and the operations phase of the project can begin.

Tava Grill, Inc.

- Development and Status

The company was incorporated in September of 2005 and elected sub-chapter S. The founder is Parul Patel. Parul is the President. The restaurant will be operated and managed by four family members, Parul, Atul, Minal and Jyotin while Pankaj Patel will be the business advisor. Startup capital will be provided by Parul (\$30,000), Atul (\$20,000), and Jyotin (\$10,000). Additional capital requirements of up to \$50,000 have been arranged for at Bank of America and/or BB&T and will be drawn as needed.

A couple of suitable sites for the first restaurant were found last month and once the final location is picked, lease negotiations will be under way. The location will be around the Haywood Mall area and close to a dense population of the target market (Flour, St. Francis, Greenville Hospital System, North Hill Medical, USPS, etc). Depending on the final location, the restaurant will start operating either immediately or by March 2006.

000031

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Future Plans

If the business is meeting its projections by month nine, we will start scouting for a second location and develop plans for the next unit. Our Five year goal is to have 3 restaurants in the greater Boston area with a combined annual profit of between \$500,000 and \$1,000,000

- Industry Analysis

Although the restaurant industry is very competitive, the lifestyle changes created by modern living continue to fuel its steady growth. More and more people have less time, resources, and ability to cook for themselves. Trends are very important and Abonda is well positioned for the current interest in lighter, healthier foods at moderate to low prices.

Tava Grill, Inc.

- Future Plans

After the business is meeting its projections by year two, we will start developing a non-full service type of restaurant with a limited menu for deployment as franchise units. Our Five year goal is to have 3 restaurants in the greater Greenville area with a combined annual profit of between \$500,000 and \$1,000,000

- Industry Analysis

Although the restaurant industry is very competitive, the lifestyle changes created by modern living continue to fuel its steady growth. More and more people have less time, resources, and ability to cook for themselves. Trends are very important and Tava Grill is well positioned in a niche market of Indian fusion cuisine, excellent service and healthy vegetarian and non-vegetarian foods at moderate prices.

000032

Items in blue were added

3

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- The Restaurant Industry Today

The food service business is the third largest industry in the country. It accounts for over \$240 billion annually in sales. The independent restaurant accounts for 15% of that total. The average American spends 15% of his or her income on meals away from home. This number has been increasing for the past seven years. In the past five years the restaurant industry has out-performed the national GNP by 40%. The reasons given by the Folkney Report(November 1994) are 1) lifestyle changes, 2) economic climate, and 3) increase of product variety.

There are 600 new restaurants opening every month and 200 more needed to keep pace with the increasing demand.

Tava Grill, Inc.

- The Restaurant Industry Today

The food service business is the third largest industry in the country, It accounts for over \$476 billion annually in sales. **More than 7 out of 10 eating and drinking places are a single unit (independent) operations.** The average American spends \$910 of his or her income in meals away from home. This number has been increasing for seven years.

000033

Items in blue were added

4

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Future Trends and Strategic Options

The predicted growth trend is very positive both in short and long-term projections. Folkney states again that as modern living creates more demands, people will be compelled to eat more meals away from home. The DMR Industrial Report (April 1995) estimates this as high as 30% over the next five years. In 1998 the National Restaurant Association released the Foodservice Industry 2000 report that forecasted how the Industry might look in the year 2000. some highlights from the panel's findings:

- "Consumers will spend a greater proportion of their food dollar away from home
- Independent operators and entrepreneurs will be the main source of new restaurant concepts.
- Nutritional concerns will be critical at all types of foodservice operations, and food flavors will be important
- Environmental concerns will receive increased attention."

Tava Grill, Inc.

- Section omitted from Tava Grill, Inc.

Items in blue were added

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Products and Related Services

Abonda restaurant will be offering a menu of food and beverages with a distinctive image. There will be three ways to purchase these products; table service at the restaurant, take-out from the restaurant, and delivery to home or office.

- The Menu

The Abonda menu (see appendices) is moderate sized, and moderate-low priced offering a collection of ethnic and american item with a common theme— healthy (low-fat, low cholesterol, natural ingredients), flavorful, and familiar. Our goal is to create the image of light satisfying and still nutritious food. There has been an increased awareness of nutritional and health concerns in recent years and a growing market of people who now eat this style of cooking regularly.

Tava Grill, Inc.

- Products and Related Services

Tava Grill Restaurant will be offering a menu of food and beverages with a distinctive image. There will be three ways to purchase these products; table service at the restaurant, take-out from the restaurant, and delivery to home or office event/ parties

- The Menu

The Tava Grill menu (see appendices) is moderate sized, and moderate priced offering a collection of Indian fusion dishes with a common theme—healthy (low-fat, low cholesterol, natural ingredients), and flavorful. Our goal is to create the image of uniquely satisfying and still nutritious food. The menu will feature both vegetarian and non-vegetarian foods. There has been an increased awareness if nutritional and health concerns in recent years and a growing market of people who now eat this style of cooking regularly.

000035

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Production

Food production and assembly will take place in the kitchen of the restaurant. Fresh vegetables, meat and dairy products will be used to create most of the dishes from scratch. The chef will exercise strict standards of sanitation, quality production, and presentation or packaging over the kitchen and service staff.

- Service

There will be three ways a customer can purchase food. They may sit at one of the 54 seats in the dining room and get full service from a waitperson. A separate take-out counter will service those who wish to pick up their food. Most take-out food will be prepared to order with orders coming from either the telephone or fax. Delivery (an indirect form of take-out) will be available at certain times and to a limited area

- Future Opportunities

There is a market segment that prefers to eat this type of cooking at home although they do not have the time to cook. There are already caterers and even mail order companies that provide individuals and families with up to a months supply on pre-prepared meals. This opportunity will be researched and developed on a trial basis. If successful, it could become a major new source of income without creating the need for additional staff or production space.

Tava Grill, Inc.

- Production

Food production and assembly will take place in the kitchen of the restaurant. Fresh vegetables, meat and dairy products will be used to create all of the dished from scratch. The chef will exercise strict standards of sanitation, quality production, and presentation or packaging over the kitchen and service staff.

- Service

There will be three ways a customer can purchase food. They may sit down at one of the 75 seats in the dining room and get full service from a waitperson. A separate take-out counter will service those who wish to pick up their food. All of take-out food will be prepared to order with orders coming from either the website, telephone or fax. Delivery (an indirect form of take-out) will be available for planned events and parties.

Future Opportunities section omitted

Items in blue were added

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- The Target Market

The market for Abonda's products covers a large area of diverse and densely populated groups. Although it will be located in a downtown urban setting, it is an area where people travel to eat out and one that is also frequented by tourist. It is also an area known for and catering to the demographic group we are targeting

- Market Location and Customers

The Harvard Square area is one of the most desirable retail locations in New England. The Mass. Chamber of Commerce rates it as the third best retail market in the state. There are more than 400 businesses in a ¼ square mile area with average sales of \$330 per square foot.

The customer base will come from 3 major segments:

Local Population- the city of Cambridge with a year-round population of 145,000 is centrally located in the Boston area and is within 15 min. drive of 8 major cities

Colleges and Universities- Harvard alone has 6 different schools within walking distance of Deacon Street and a seasonal population of 22,000. In addition 5 more colleges near the square have large student bodies.

Local Businesses- The Cambridge Chamber of Commerce lists over 900 businesses with an average of 12 employees in the Harvard Square area.

Tava Grill, Inc.

- The Target Market

The market for Tava Grill's products covers a large area of diverse and densely populated groups that would pay for and appreciate the fresh and healthy foods. It is also an area known for and catering to the demographic group we are targeting.

- Market Location and Customers

The Haywood road area is one of the most desirable retail locations in Greenville. The customer base will come from 3 major segments;

Local Population- The county of Greenville with a year-round population of 400,000

Tourism- Between hotels, motels, bed and breakfast rooms and inns, there are over 8,500 rooms available. Last year they were at 92% occupancy

Local Business- The Chamber of Commerce lists over 6400 business. Companies such as Michelin, BMW, Flour, Jacobs, etc have large offices or corporate headquarters located here

Venus- Bi-Lo Center (16,000), Furman University Timmons Arena (4,750), Sistine Stadium (13,000), Furman University Paladin Stadium (16,000), Furman University Soccer Stadium (3,000)

Hotel Rooms- 8,012 (Greenville County)

Items in blue were added

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

The food concept and product image of Abonda will attract 3 different customer profiles;

The Student- More and more young people have developed healthy eating habits. Some also go through a "health food phase" while in college.

The Health Conscious Person of Any Age or Sex- this includes anyone on a restricted or prescribed diet or those who have committed to a healthy diet.

Curious and Open-minded- "If you try it, you will like it." Through marketing, publicity, and word-of-mouth, people will seek out a new experience and learn that nutritious food can be tasty, fun, convenient, and inexpensive.

Tava Grill, Inc.

The food concept and product image of Tava Grill will attract 3 different customer profiles;

The Student- More and more young people have developed healthy eating habits. Some also go through a "health food phase" while in college.

The Health Conscious Person of Any Age or Sex- this includes anyone who has committed to a healthy diet. **Our unique vegetarian menu will offer a wide variety of foods to select from.**

Curious and Open-minded- "if you try it, you will like it." Through marketing, publicity, and word of mouth, people will seek out a new experience and learn that nutritious food can be tasty, fun, convenient, and inexpensive.

Large Indian and European community-
Communities in Greenville, Anderson and Spartanburg that desire quality Indian cuisine

Items in blue were added

9

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Market Trends and The Future

The population and demographics of Harvard square have remained steady for the last 14 years. Tourism has increased 24% over the last 3 years and is predicted to keep growing. Local businesses are increasing at a rate of 18% yearly. The idea of health conscientiousness through nutritional awareness and dietary change has been slowly building for the last 7 years. The extensive government studies and new Food Guide Pyramid have given everyone a new definition of a balanced, healthy diet. This is not a fad but a true dietary trend backed by the scientific and medical community, the media, the government, and endorsed by the big food manufacturers. As the Foodservice 2000 report stated, this trend will be even more important by the turn of the century. As people want to stay home more and cook less our strategy of delivering prepared meals on a weekly or monthly arrangement may be a widespread accepted new way of eating.

Tava Grill, Inc.

- This section omitted from Tava Grill

000039

Items in blue were added

10

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- The Competition

There are over two dozen restaurants in the Harvard Square area that sell food at similar prices. Although this presents an obvious challenge in terms of market share, it also indicates the presence of a large, strong potential. The newest competitors have made their success entry based on a innovative concept or novelty. Abonda will offer an innovative product in familiar style at a competitive price. Our aggressive plans of take-out and delivery will also give us an advantage to create a good market share before the competition can adjust or similar concepts appear

Tava Grill, Inc.

- The Competition

There are only two Indian restaurants in Greenville, Anderson and Spartanburg. Tava Grill will offer an innovative product in a familiar style at a competitive price. Our aggressive plans of take-out and delivery will also give us an advantage to create a good market share before the competition can adjust or similar concepts appear.

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Competitors Profile

Competing with Abonda for the target market are these categories of food providers:

- Independent table service restaurants of similar menu and price structure
 - Chain restaurants of similar menu and price structure
 - Commercial food service companies serving students directly
- Independent operators include Grendel's Den, Iako, Bombay Club, Iruna and The Border Café. Most are ethnic based and will carry at least two similar menu items. Grendel's and Iruna are long-standing businesses while the others are fairly new. They are all doing very well.

The major chain restaurants are House of Blues, Chilli's and Bertucci's. All are relatively new but well established and profitable. They have big resources of marketing and/or a specialty product or attraction (House of Blues is also a live music club). Ogden Foods and Cysco both service 24,000 Harvard students but their product is not appealing enough to prevent students from eating out 5-7 meals a week. In addition there are two local catering companies that deliver prepared meals daily to offices.

Tava Grill, Inc.

- Competitors Profile

Competing with Tava Grill for the target market are these categories of food providers:

- Independent table service restaurants of similar menu and price structure.

(Chain restaurants and Commercial Foodservice omitted)

Independent operators include India Place, and Delhi Palace. Most are ethnic based and will carry at least two similar menu items. India Palace is a long-standing business while the other are fairly new. They are both doing very well despite their bad location, service and quality of food.

In addition neither company delivers prepared meals daily to offices.

000041

Items in blue were added

12

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Competitive Strategy

There are three major ways in which we will create an advantage over our competitors;

- product identity, quality, and novelty
- high employee motivation and good sales attitude
- innovative and aggressive service options

Abonda will be the only restaurant among all the competition which focuses the entire menu on healthy, low-fat cooking. Each of the competitors offers at least one "healthy" selection on their menu. Grendel's Den even has an entire section called "On the Lighter Side" but in all cases they are always seen as alternatives to the main style being offered. The target market will perceive Abonda as the destination location for healthy, low-fat cooking.

Once they have tried the restaurant, their experience will be reinforced by friendly, efficient, knowledgeable service. Return and repeat business will be facilitated by accessible take-out and delivery options. At the time of this writing all of the competitors offered take-out but only two (Bertucci's and Chili's).

Tava Grill, Inc.

- Competative Strategy

There are three major ways in which we will create an advantage over our competitors;

- product identity, quality, and novelty
- high employee motivation and good sales attitude
- innovative and aggressive service options

Tava Grill will be the only restaurant among the competition which focuses the entire menu on fresh healthy cooking. Each of the competitors offers at least one "healthy" selection on their menu. The target market will perceive Tava Grill as the destination location for healthy cooking.

Once they have tried the restaurant, their experience will be reinforced by friendly, efficient, knowledgeable service. Return and repeat business will be facilitated by accessible take-out and delivery options. At the time of this writing all of the competitors offered take-out.

Items in blue were added

13

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

• Marketing Plan and Sales Strategy

-Market Penetration- Entry into the market should not be a problem. The store has high visibility with heavy foot traffic all day long. The local residents and students always support new restaurants and the tourists do not have fixed preferences. In addition, \$10,000 has been budgeted for a pre-opening advertising and public relations campaign.

-Marketing Strategy- Focusing on the unique aspect of the product theme (healthy, tasty foods) a mix of marketing vehicles will be created to convey our presence, our image and our message.

-Print Media- local newspapers, magazines and student publications

-Broadcast Media- local programming and special interest shows

-Hotel guides, concierge relations, Chamber of Commerce brochures

-Misc.- yellow pages, charity events

A public relations firm has been retained to create special events and solicit print and broadcast coverage, especially at the start-up.

The marketing effort will be split into 3 phases;

Opening- An advanced notice (press packet) sent out by the PR firm to all media and printed announcement ads in key places. Budget \$10,000

Ongoing- A flexible campaign (using the above media), assessed regularly for effectiveness. Budget-\$10,000

Point of Sale- A well-trained staff can increase the average check as well as enhancing the customer's overall experience. Word-of-mouth referral is very important in building a customer base.

Tava Grill, Inc.

• Marketing Plan and Sales Strategy

Market Penetration- Entry into the market should not be a problem. The store has high visibility with heavy foot traffic all day long. The local residents always support new restaurants and the tourists do not have fixed preferences. In addition, Both Parul and Pankaj have been involved with the local Indian community since 1985. They have both served on the India Association of Greater Greenville (IAGG) committee at various times.

Marketing Strategy- Focusing on the unique aspect of the product theme (healthy, tasty foods) a mix of marketing vehicles will be created to convey our presence, our image, and our message.

-Print Media- local newspapers, magazines and student publications

-Hotel guides, concierge relations, Chamber of Commerce brochures

-Direct mail- subscriber lists, offices for delivery

-Misc- yellow pages, charity events

-Internet Website-

The marketing effort will be split into 3 phases;

Opening- An advanced notice sent out to our personal, business and community contacts. We want this to be a low key opening.

Ongoing- A flexible campaign with personal, business and community contacts, assessed regularly for effectiveness.

Point of Sale- A well-trained staff can increase the average check as well as enhancing the customer's overall experience. Word-of-mouth referral is very important in building customer base.

000043

Items in blue were added

14

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Future Plans and Strategic Opportunities

Catering to offices (even outside of our local area) may become a large part of gross sales. At the point a sales agent would be hired to directly market our products for daily delivery or catered functions.

- Operations

Facilities & Offices- The restaurant at 645 Deacon Street is a 2400 Square foot space. It was formerly a restaurant and needs on minor structural modifications. The licenses and codes' issues are all in order. New equipment and dining room furnishings will be purchased and installed by the general contractor. Offices of the corporation are presently at Jack Morton's home but will be moved to the restaurant after opening.

Hours of Operation- The restaurant will be open for lunch and dinner 7 days a week. Service will begin at 11:00 am and end at 11:00 pm. The restaurant will be closed Christmas, Thanksgiving and Fourth of July.

Employee Training & Education- Employees will be trained not only in their specific operational duties but in the philosophy and applications of our concept. They will receive extensive information from the chef and be kept informed of the latest information on healthy eating.

Systems & Controls- A big emphasis is being placed on extensive research into the quality and integrity of our products. They will constantly be tested for our own high standards of freshness and purity. Food costs and inventory control will be handled by our computer system and checked daily by management.

Food Production- Most food will be prepared on the premises. The kitchen will be designed for high standards of sanitary efficiency and cleaned daily. Food will be made mostly to order and stored in large coolers in the basement.

Delivery & Catering- Food for delivery may be similar to take-out (prepared to order) or it may be prepared earlier and stocked. Catering will be treated as deliveries.

Tava Grill, Inc.

- Future Plans and Strategic Opportunities

Catering to offices (even outside of our local area) may become a large part of gross sales. At that point a sales agent would be hired to directly market our products for daily delivery or catered functions.

- Operations

(Facilities & Offices omitted)

Hours of Operation- The restaurant will be open for lunch and dinner 6 days a week. Service will begin at 11:00 am and end at 2:00 pm for lunch and from 5:00 pm to 9:00 pm (11:00 pm on Friday and Saturday nights) for dinner. The restaurant will be closed Christmas, Thanksgiving, and Fourth of July.

Employee Training & Education- Employees will be trained not only in their specific operational duties but in the philosophy and applications of our concept. They will receive extensive information from the chef and be kept informed of the latest information on healthy eating.

Systems & Controls- A big emphasis is being placed on extensive research into the quality and integrity of our products. They will constantly be tested for our own high standards of freshness and purity. Food costs and inventory control will be handled by our computer system and checked daily by management.

Food Production- All the food will be prepared on the premises. The kitchen will be designed for high standards of sanitary efficiency and cleaned daily. All food will be made to order.

Delivery & Catering- Food for delivery may be similar to take-out (prepared to order) or it may be prepared earlier and stocked. Catering will be treated as deliveries.

Items in blue were added

15

Comparison of Kundo, Inc. Business Plan to Tava Grill, Inc. Business Plan

Kundo, Inc.

- Management & Organization

Key Employees & Principals- Jack Morton, President. Jack Morton is also the owner and manager of Grains & Beans, a local natural food wholesaler and retail store. Since 1977 his company has created a high-profile mainstream image for natural foods. In 1992 Grains & Beans opened a small café within the retail store that became so popular and profitable, he decided to expand the concept into a full service restaurant. Jack brings with him a track record of success in the natural foods industry. His management style is innovative and in keeping with the corporate style outlined in the mission statement.

Compensation & Incentives- Abonda will offer competitive wages and salaries to all employees with benefit packages available to key personnel only.

Board of Directors- An impressive board of directors has been assembled that represents some top professional from the area. They will be a great asset to the development of the company.

Consultants & Professional Support Resources- At the present, no outside consults have been retained, excepting the design department at Best Equipment.

Management to be Added- We are presently searching for a general manager and executive chef. These key employees will be well chosen and given incentives for performance and growth.

Management Structure & Style- Jack Morton will be the President and Chief Operating Officer. The general manager and chef will report to him. The assistant manager and sous-chef will report to their respective managers, and all other employees will be subordinate to them.

Ownership- Jack Morton and the stockholders will retain ownership with the possibility of offering stock to key employees if deemed appropriate.

Tava Grill, Inc.

- Management & Organization

Key Employees & Principals-

-Parul Patel, President

-Atul Patel, Vice President and General Manager

-Minal Patel and Jyotin Patel, Executive chefs, Non-vegetarian and vegetarian respectively

Compensation & Incentives- Tava Grill will offer competitive wages and salaries to all employees with benefit packages available to key personnel only.

Board of Directors- at the present no outside board of directors will be retained

Consultants & Professional Support Resources- At the present, no outside consults have been retained, excepting the design department at Best Equipment.

(Management to be added, Ownership and Management structure and Style omitted)

000045

Items in blue were added

16

Kundo, Inc. Business Plan v. Tava Grill, Inc. Business Plan

Kundo, Inc.

- Long-Term Development & Exit Plan

Goals- Abonda in an innovative concept that targets a new, growing market. We assume that the market will respond, and grow quickly in the next 5 years. Our goals are to create a reputation of quality, consistency and security (safety of food) that will make us the leader of a new style of dining.

Strategies- Our marketing efforts will be concentrated on take-out and delivery, the areas of most promising growth. As the market changes, new products may be added to maintain sales.

Milestones- After the restaurant opens, we will keep a close eye on sales and profit. If we are on target at the end of year 1, we will look to expand to a second unit.

Risk Evaluation- With any new venture, there is risk involved. The success of our project hinges on the strength and acceptance of a fairly new market. After year 1, we expect some copycat competition in the form of other independent units. Chain competition will be much later.

Exit Plan- Ideally, Abonda will expand to five units in the next 10 years. At that time, we will entertain the possibility of a buy-out by a larger restaurant concern or actively seek to sell to a new owner.

Tava Grill, Inc.

- Long-Term Development & Exit Plan

Goals- Tava Grill is an innovative concept that targets new, growing market. We assume that the market will respond, and grow quickly in the next 5 years. Our goals are to create a reputation of quality, consistency and security (safety of food) that will make us the leader of a new style of dining.

Strategies- Our marketing efforts will be concentrated on take-out and delivery, the areas of most promising growth. As the market changes, new products may be added to maintain sales.

Milestones- After the restaurant opens, we will keep a close eye on sales and profit. If we are on target at the end on year 1, we will look to expand to a second unit.

Risk Evaluation- With any new venture, there are risk involved. The success of our project hinges on our unique menu, quality and freshness of our healthy food.

(Omitted last paragraph of this section and Omitted Exit Plan section)

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1 A. No, sir.

2 Q. All right. Now, Mr. Gailey -- now, we got
3 Mr. Gailey in the deal in the end of November of
4 '08. And you did some paperwork with Verizon
5 telling them Mr. Gailey had come on. Look at Number
6 40. It's Amendment Number 1 to the agency
7 agreement. Is that your signature on there? Look
8 at Kaj 0091. Is that your signature?

9 A. Yes, sir.

10 Q. All right. Go back and look also at 39. I forgot
11 to ask you, you became the new registered agent for
12 P Communications on about December 2nd, 2008.
13 That's your signature on that form?

14 A. Yes, sir.

15 Q. Okay. Look at Number 41. That's a bill from Allan
16 Hill. What account was that paid out of, if you
17 know?

18 A. Probably out of P Communications.

19 Q. Okay. Look at Exhibit Number 42. Is that your
20 signature on page Defendant's 616?

21 A. Yes, sir.

22 Q. Okay. Now, we get over to the 1st day of January
23 2009. It looks like Mr. Gailey is going out the
24 door. What happened with Mr. Gailey? Why did he
25 decide to get out?

1 A. Him and I had made some arrangements for his future
2 of the company and his employment and we worked
3 something out.

4 Q. And what kind of arrangements did y'all make?

5 A. That he would be the director of sales for the
6 organization and he would be essentially the right
7 hand to me.

8 Q. And he was going to sell all his stock?

9 A. Yes, sir.

10 Q. Why was that a good deal for him?

11 A. A little more aggressive payout with no risk and no
12 liability.

13 Q. And what did you pay him for his stock?

14 A. I don't remember.

15 Q. Well, look at Number 43, page 617 says he desires to
16 sell 40 shares for \$5,000. Is that what he got?

17 A. That looks -- looks to be correct.

18 Q. So he was kind of short-lived as a stockholder,
19 wasn't he? He came in in November and he's out the
20 door by the first of the year, correct?

21 A. Yes, sir.

22 Q. And you got the whole shooting match at that point,
23 correct?

24 A. I then became the sole shareholder of P
25 Communications. Yes.

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CERTIFICATE OF COUNSEL

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SC Court of Appeals

The undersigned hereby certifies that the Appendix to the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

October 19, 2015

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