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SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF FRESNO

RYAN TONCHEFF, an individual, Plaintiff, v. GRANVILLE HOMES, INC., a California Corporation, DARIUS ASSEMI, an individual, and DOES 1 through 50, inclusive, Defendants.	Case No.: 26CU03959 **DECLARATION OF DARIUS ASSEMI IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION; ALTERNATIVELY, FOR ORDER SHORTENING TIME** Complaint Filed: November 2, 2026

I, Darius Assemi, do hereby declare and state:

1. I am an adult male over the age of 18 and a resident of Fresno County. I am the president of Granville Homes, Inc. ("Granville," "the Company," or "Defendant".)

2. The statements set forth in this Declaration are of my personal knowledge and if called as a witness at trial, I could competently testify thereto.

3. Granville hired Plaintiff Ryan Toncheff ("Toncheff" or "Plaintiff") as its Chief Financial Officer in 2024.

4. During his employment as Granville, CFO, Toncheff had access to sensitive financial information and records. A forensic investigation of the documents contained on Toncheff's computer and Granville's computers has revealed that Toncheff transferred company information outside of Granville's control and engaged in extensive deletion activity during his final weeks of

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his employment which ended on June 10, 2026.

5. In addition to his transferring of Granville information and documents to his own computer and/or other devices, Granville's investigation has disclosed that during the final weeks of his employment, Mr. Toncheff also deleted or removed thousands of pages of company records and communications.

6. In his role as the CFO, Toncheff occupied a senior executive position and had access to Granville confidential financial information, lender relationships, cashflow analysis, debt schedules, financial models and other sensitive company information.

7. During the latter portion of his employment, a dispute arose concerning Granville's financial condition and Toncheff's performance as CFO. Toncheff maintained that Granville was cash flow insolvent and raised concerns concerning the Company's financial condition and financial practices.

8. Granville disputes those assertions and maintains that Toncheff's insolvency analysis was materially inaccurate and based upon erroneous assumptions and financial modeling. Granville further contends that Toncheff was using his asserted financial concerns to obtain increased compensation, an ownership interest, and ultimately a substantial severance payment.

9. Following Toncheff's departure, Granville discovered evidence that Toncheff had transferred substantial amounts of Company information to accounts and locations outside of the Company's control. Among other things, Granville discovered that Toncheff forwarded Company financial information, including cash flow forecasts, debt schedules, financial analyses, and other company records to personal email accounts.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 11th day of November 2026, in Fresno, California.

Darius Assemi

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PROOF OF SERVICE
(CODE CIV. PROC. § 1013)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 5260 North Palm Avenue, Suite 400, Fresno, California 93704.

On November 13, 2026, I served the following documents described as **DECLARATION OF DARIUS ASSEMI IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION; ALTERNATIVELY, FOR ORDER SHORTENING TIME** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

SEE ATTACHED SERVICE LIST

☐ **BY MAIL:** I deposited such envelope in the mail at Fresno, California. The envelope(s) was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

☐ **BY OVERNIGHT COURIER:** I sent such document(s) on November 13, 2026, by with postage thereon fully prepaid at Fresno, California.

☐ **BY FAX**: I sent such document by use of facsimile machine telephone number (559) 473-1483. Facsimile cover sheet and confirmation is attached hereto indicating the recipients' facsimile number and time of transmission pursuant to California Rules of Court Rule 2.306. The facsimile machine I used complied with California Rules of Court Rule 2.301(3) and no error was reported by the machine.

☐ **BY PERSONAL SERVICE:** I placed the above document in a sealed envelope. I caused said envelope to be handed to our messenger service to be delivered by hand to the above address(es).

☒ **BY EMAIL:** I sent such document by use of email to the email address(es) above. (CCP § 1010.6) Such document was scanned and emailed to such recipient.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 13, 2026, at Fresno, California.

Mehgan Ferreira Kisling

SERVICE LIST

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