ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
THOMAS E. MILLER BAR NO. 057821 BRUCE MAYFIELD BAR NO. 057730 THE MILLER LAW FIRM 4685 MacArthur Court Suite 300 Newport Beach, CA 92660-1853 ATTORNEY FOR (Name): PLAINTIFF EDGEWATER ISLE HOA	(949) 252-1950	FILED SAN MATEO COUNTY MAY 18 2000 Clerk of the Superior Court By _____ DEPUTY CLERK
Insert name of court and name of judicial district and branch court, if any: SAN MATEO COUNTY SUPERIOR COURT		
PLAINTIFF/PETITIONER: EDGEWATER ISLE HOMEOWNERS ASSOCIATION, DEFENDANT/RESPONDENT: THE ANDEN GROUP, et al.		

REQUEST FOR DISMISSAL

- [ ] **Personal Injury, Property Damage, or Wrongful Death**
  - [ ] **Motor Vehicle**
  - [ ] **Other**
- [ ] **Family Law**
- [ ] **Eminent Domain**
- [X] **Other (specify):** CONSTRUCTION DEFECTS

CASE NUMBER: 388872

— **A conformed copy will not be returned by the clerk unless a method of return is provided with the document.** —

1. **TO THE CLERK**: Please **dismiss** this action as follows:
   a. (1) [X] With prejudice (2) [ ] Without prejudice
   b. (1) [X] Complaint (2) [ ] Petition
   (3) [ ] Cross-complaint filed by *(name)*: on *(date)*:
   (4) [ ] Cross-complaint filed by *(name)*: on *(date)*:
   (5) [ ] Entire action of all parties and all causes of action
   (6) [ ] Other *(specify)*:*

Date: May 17, 2000
BRUCE MAYFIELD
(TYPE OR PRINT NAME OF [X] ATTORNEY [ ] PARTY WITHOUT ATTORNEY)

THE MILLER LAW FIRM
Bruce Mayfield
(SIGNATURE)
Attorney or party without attorney for: PLAINTIFF EDGEWATER ISLE HOMEOWNERS ASSOCIATION
[X] Plaintiff/Petitioner [ ] Defendant/Respondent
[ ] Cross-complainant

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

2. **TO THE CLERK**: Consent to the above dismissal is hereby given.**
Date:

(TYPE OR PRINT NAME OF [ ] ATTORNEY [ ] PARTY WITHOUT ATTORNEY)

(SIGNATURE)
Attorney or party without attorney for:

[ ] Plaintiff/Petitioner [ ] Defendant/Respondent
[ ] Cross-complainant

** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(To be completed by clerk)
3. [✓] Dismissal entered as requested on *(date)*: MAY 18 2000
4. [ ] Dismissal entered on *(date)*: as to only *(name)*:
5. [ ] Dismissal **not entered** as requested for the following reasons *(specify)*:

6. [ ] a. Attorney or party without attorney notified on *(date)*:
   b. Attorney or party without attorney not notified. Filing party failed to provide
   [ ] a copy to conform [ ] means to return conformed copy

Date: MAY 18 2000 PEGGY THOMPSON Clerk, by _____, Deputy

PROOF OF SERVICE
[C.C.P. Section 1013A(3)]

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 4685 MacArthur Court, Suite 220, Newport Beach, California 92660.

On **MAY 17, 2000**, I served the document(s) described as: **REQUEST FOR DISMISSAL** on the interested parties in this action by placing a true copy in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

XX **BY U.S. MAIL** - As follows: I placed a true copy in a sealed envelope addressed as indicated above. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business. I am aware that on motion of the 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 in affidavit.

____ **PERSONAL SERVICE** - I placed the copies in a sealed envelope addressed as indicated above and caused such envelope to be delivered by hand to the offices of the addressee.

____ **BY TELECOPIER** - I personally sent to the addressees' telecopier numbers attached hereto a true copy of the above-described document via facsimile transmission. Each transmission was reported as complete and without error. Each report was properly issued by the transmitting facsimile machine.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **MAY 17, 2000** at Newport Beach, California.

Joanna Velarde
JOANNA VELARDE

Edgewater Isle Homeowners Association v. The Anden Group, et al.

San Mateo Superior Court Case No. 388872

SERVICE LIST

William L. Nagle 345 Lorton Avenue, Suite 204 Burlingame, CA 94010-4116 (650) 579-0500\(650) 579-0623 (FAX) **SPECIAL MASTER**	Robert K. Phillips Shahab E. Fotouhi **Phillips & Spallas** 225 Bush Street, 16th Floor San Francisco, CA 94104 415/439-8840\Fax 415/439-8822 Attorneys for Defendant **PENINSULA FLOORS, INC.**
Marisa D'Amico Thomas O. Haran **Bishop, Barry, Howe, Haney & Ryder** A Professional Corporation 2000 Powell Street, Suite 1425 Emeryville, CA 94608 (510) 596-0888\Fax (510) 596-0889 Defendants and Cross-Complainants **THE ANDEN GROUP**	Donald B. Fornasier **Archer, McComas, Breslin, McMahon & Chritton** Post Office Box 8035 Walnut Creek, CA 94596 (510) 930-6600\(510) 930-6620 (FAX) Cross-Defendant **C. APRICIO CEMENT CONTRACTORS**
Thorsten J. Pray **Law Offices of John J. Carniato** 3736 Mt. Diablo Blvd., Suite 300 Lafayette, CA 94549 (510) 283-1552\(510) 283-9830 (FAX) Defendants and Cross-Complainants **GLORIA DEVELOPMENT CO., INC. and O'BRIEN & HICKS, INC., O'BRIEN & HICKS 1988 & BEYOND, LTD.**	Anthony J. DeMaria **Felice & DeMaria** 1130 Burnett Ave., Bld. D, Suite H Concord, CA 94520 (510) 676-5094\(510) 676-0548 (FAX) Cross-Defendant **GONSALVES & SANTUCCI, INC. dba CONCO CEMENT COMPANY**
John Shinnick **Hoge, Fenton, Jones & Appel** 60 South Market Street, 14th Floor San Jose, CA 95113 (408) 287-9501\(408) 287-2583 (FAX) Defendant **O'BRIEN & HICKS, INC.**	Michael Bruno, Esq. **Gordon & Rees** 275 Battery Street, 20th Floor San Francisco, CA 94111 (415) 986-5900\(415) 986-8054 (FAX) Cross-Defendant **FISK, FIRENZE & McLEAN; DANIEL SMITH PLASTERING, INC. and ASH ROOFING**
Albert Blake **Roger, Scott & Helmer** 900 Veterans Blvd., Suite 430 Redwood City, CA 94063 (415) 365-7700\(415) 365-0677 (FAX) Cross-Defendant **TARA COATINGS**	Joe Thompson Attorney at Law 981 Fremont Street Santa Clara, CA 95050 (408) 984-8555\(408) 292-1061 (FAX) Cross-Defendant **SIERRA LUMBER**

Norman La Force **Law Offices of F. Ross Adkins** 25 Pacific Avenue Mall San Francisco, CA 94111 (415) 981-5200\(415) 981-2097 (FAX) Co-Counsel Cross-Defendant **TARA COATINGS**	Howard L. Churchill **Schofield & Schiller** 100 Pringle Avenue, #510 Walnut Creek, CA 94596 (510) 934-3600\(510) 934-2257 (FAX) Cross-Defendant **SIERRA LUMBER**
Kevin J. Tully **Greene, Chauvel & Descalso** 902 Mariners Island Blvd., Suite 400 San Mateo, CA 94404-1594 (415) 573-9500\(415) 573-9689 (FAX) Cross-Defendants **SACRAMENTO A-1 DOOR**	Donald L. Sullivan **Clapp, Moroney, Bellagamba, Davis & Vucinich** 4400 Bohannon Drive, Suite 100 Menlo Park, CA 94025 (650) 327-1300\(650) 327-3707 (FAX) Cross-Defendant **MISSION DRYWALL OF SAN JOSE; SILVA FENCE COMPANY and TECHNIBUILDERS IRON, INC.**
Maria Caruana, Esq. **Fortune & Drevlow** 180 Montgomery Street, Suite 2100 San Francisco, CA 94104 (650) 362-1422\(650) 362-7054 (FAX) Co-Counsel for Cross-Defendant **SACRAMENTO A-1 DOOR**	David N. Poll **Collins & Schlothauer** 60 South Market Street, Suite 1100 San Jose, CA 95113-2369 (408) 298-5161\(408) 297-5766 (FAX) Co-Counsel for Cross-Defendant **SILVA FENCE COMPANY**
Helen B. Baumann **Law Offices of Eugene L. Bass** 495 Seaport Court, Suite 103 Redwood City, CA 94063 (650) 361-1199\(650) 369-4984 (FAX) Cross-Defendant **SAN CARLOS SHEET METAL WORKS, INC.**	Johnathan Margolis Chet Moore **Low, Ball & Lynch** 10 Twin Dolphin Drive, Suite B-500 Redwood City, CA 94065 (650) 591-8822\(650) 591-8884 Cross-Defendant **ALCAL ROOFING & INSULATION**
Gregory J. Patterson **Proskauer Rose** 2049 Century Park East, Suite 3200 Los Angeles, CA 90067 (310) 284-5650\(310) 557-2193 (FAX) Direct: (310) 284-5676 (Personal Counsel) **THE ANDEN GROUP**	J. Michael Higginbotham, Esq. **Long & Levit** 101 California Street, Suite 2300 San Francisco, CA 94111 415/397-2222\415/397-6392 (FAX) Attorneys for Cross-Defendant **RUTH & GOING and MELVIN LEE**
Philip Y. Kazan, Esq. **Russell, Kazan, Brenner & Mallett** 343 Sansome Street, Suite 525 San Francisco, CA 94104 415/956-5841\415/956-0708 (FAX) Attorneys for Cross-Defendant **C. APARICIO CEMENT**	Michael P. Quinlivan, Esq. **Kouns, Quinlivan & Severson** 101 Park Center Plaza, Suite 1007 San Jose, CA 95113 408/278-0125\408/292-1257 Attorneys for Defendant **SIERRA PRECAST**
Clay A. Coelho, Esq. **Law Offices of Charlotte Venner** 50 Fremont Street, Suite 801 San Francisco, CA 94105 415/778-4660\415/778-4690 (FAX) Attorneys for Cross-Defendant **T & D TILE COMPANY, INC.**	Paul E. Stephan, Esq. **Stephan & Conroy** 444 Market Street, Suite 2675 San Francisco, CA 94111 415/983-4740\Fax 415/296-1043 Co-Counsel for **T & D TILE COMPANY, INC.**

Paul Walker, Esq. **Adams, Nye, Sinunu & Walker** 633 Battery Street, 5th Floor San Francisco, CA 94111 415/982-8955\415/982-2042 (FAX) Attorneys for Cross-Defendant **MISSION DRYWALL**	
	Susan P. Grey **Dominion Law Group** 1155 N. First Street, Suite 101 San Jose, CA 95112 408/288-5592\Fax 408/938-1035 Attorneys for Defendant **B. L. COHEN LANDSCAPE**
Jeffery L. Borsuk James F. Blake **Pandell & Borsuk** 2033 N. Main Street, Suite 450 Walnut Creek, CA 94596-3722 510/746-8800\Fax 510/746-8898 Attorneys for Defendant **CARLOS RODRIGUEZ PAINTING**	David S. Henningsen, Esq. **Robinson & Wood, Inc.** 227 North First Street San Jose, CA 95113 408/298-7120\Fax 408/298-0477 Associate Attorneys for Defendant **B.L. COHEN LANDSCAPE, INC.**
William H. Staples, Esq. **Capps, Staples, Ward, Stephenson & Dodson** 1777 Botelho Drive, Suite 100 Walnut Creek, CA 94596 510/939-4411\510/939-5241 (FAX) Attorneys for Cross-Defendant **SAFECO INSURANCE COMPANY OF AMERICA**	Rand L. Chritton, Esq. Donald B. Fornasier, Esq. **Archer, McComas, Breslin, McMahon & Chritton** 2033 North Main Street, Suite 800 Peri Executive Centre P. O. Box 8035 Walnut Creek, CA 94596 510/930-6600\Fax 510/930-6620 Associate counsel for Defendant **B. L. COHEN LANDSCAPE**
Anthony Varni, Esq. **Varni Fraser Hartwell & Rodgers** 22771 Main Street Hayward, CA 94543-0570 510/886-5000\Fax 510/538-8797	Jilio & Associates, Document Depository c/o San Francisco Reporting Service 5 Third Street, Suite 815 San Francisco, CA 94103

FILE PREPARATION LOG
CMC / SET / TRI

CASE NAME Edgewater Isle Homowns Vs. Anden Group

CASE # 388872 HEARING DATE MAY 19 2000 DEPT. 3

✓ FILE IN CHRONOLOGICAL ORDER

N/O NOTICE OF HEARING ON FILE

✓ MINUTE FORM SUBMITTED WITH FILE

✓ FILE CHECKED FOR MISFILINGS

____ DOCUMENTS MISSING

____ NOTICE OF STAY OF ACTION

✓ DISMISSALS see attached

FILE VERIFIED BY: UNA FINAU DATE MAY 12 2000

FEDEX

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
THOMAS E. MILLER BAR NO. 057821 BRUCE MAYFIELD BAR NO. 057730 THE MILLER LAW FIRM 4685 MacArthur Court Suite 300 Newport Beach, CA 92660-1853	(949) 252-1950 9150	
ATTORNEY FOR (Name): PLAINTIFF EDGEWATER ISLE HOA		
Insert name of court and name of judicial district and branch court, if any: SAN MATEO COUNTY SUPERIOR COURT		
PLAINTIFF/PETITIONER: EDGEWATER ISLE HOMEOWNERS ASSOCIATION, DEFENDANT/RESPONDENT: THE ANDEN GROUP, et al.		

REQUEST FOR DISMISSAL

- [ ] Personal Injury, Property Damage, or Wrongful Death
  - [ ] Motor Vehicle
  - [ ] Other
- [ ] Family Law
- [ ] Eminent Domain
- [X] Other (specify): CONSTRUCTION DEFECTS

CASE NUMBER: 388872

RECEIVED
SAN MATEO COUNTY
MAY 17 2000
Clerk of the Superior Court

A conformed copy will not be returned by the clerk unless a method of return is provided with the document.

1. **TO THE CLERK**: Please dismiss this action as follows:
   a. (1) [X] With prejudice (2) [ ] Without prejudice
   b. (1) [X] Complaint (2) [ ] Petition
      (3) [ ] Cross-complaint filed by (name): on (date):
      (4) [ ] Cross-complaint filed by (name): on (date):
      (5) [ ] Entire action of all parties and all causes of action
      (6) [ ] Other (specify):*

Date: May 17, 2000
BRUCE MAYFIELD
(TYPE OR PRINT NAME OF [X] ATTORNEY [ ] PARTY WITHOUT ATTORNEY)

THE MILLER LAW FIRM
▶ Bruce Mayfield
(SIGNATURE)
Attorney or party without attorney for: PLAINTIFF EDGEWATER ISLE HOMEOWNERS ASSOCIATION
[X] Plaintiff/Petitioner [ ] Defendant/Respondent
[ ] Cross-complainant

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2. **TO THE CLERK**: Consent to the above dismissal is hereby given.**
Date:

▶
(SIGNATURE)
(TYPE OR PRINT NAME OF [ ] ATTORNEY [ ] PARTY WITHOUT ATTORNEY)
Attorney or party without attorney for:

[ ] Plaintiff/Petitioner [ ] Defendant/Respondent
[ ] Cross-complainant

** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(To be completed by clerk)
3. [ ] Dismissal entered as requested on (date):
4. [ ] Dismissal entered on (date): as to only (name):
5. [ ] Dismissal **not entered** as requested for the following reasons (specify):

6. [ ] a. Attorney or party without attorney notified on (date):
   b. Attorney or party without attorney not notified. Filing party failed to provide
      [ ] a copy to conform [ ] means to return conformed copy

Date: Clerk, by _____, Deputy

5.18.00 Drop CMC:
Original Dismissal will BE FEDEX to clerks OFC For FILING

PROOF OF SERVICE
[C.C.P. Section 1013A(3)]

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 4685 MacArthur Court, Suite 220, Newport Beach, California 92660.

On **MAY 17, 2000**, I served the document(s) described as: **REQUEST FOR DISMISSAL** on the interested parties in this action by placing a true copy in a sealed envelope addressed as follows:

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **MAY 17, 2000** at Newport Beach, California.

Joanna Velarde
JOANNA VELARDE

Edgewater Isle Homeowners Association v. The Anden Group, et al.

San Mateo Superior Court Case No. 388872

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Gregory J. Patterson **Proskauer Rose** 2049 Century Park East, Suite 3200 Los Angeles, CA 90067 (310) 284-5650\(310) 557-2193 (FAX) Direct: (310) 284-5676 (Personal Counsel) **THE ANDEN GROUP**	J. Michael Higginbotham, Esq. **Long & Levit** 101 California Street, Suite 2300 San Francisco, CA 94111 415/397-2222\415/397-6392 (FAX) Attorneys for Cross-Defendant **RUTH & GOING and MELVIN LEE**
Philip Y. Kazan, Esq. **Russell, Kazan, Brenner & Mallett** 343 Sansome Street, Suite 525 San Francisco, CA 94104 415/956-5841\415/956-0708 (FAX) Attorneys for Cross-Defendant **C. APARICIO CEMENT**	Michael P. Quinlivan, Esq. **Kouns, Quinlivan & Severson** 101 Park Center Plaza, Suite 1007 San Jose, CA 95113 408/278-0125\408/292-1257 Attorneys for Defendant **SIERRA PRECAST**
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	Susan P. Grey **Dominion Law Group** 1155 N. First Street, Suite 101 San Jose, CA 95112 408/288-5592\Fax 408/938-1035 Attorneys for Defendant **B. L. COHEN LANDSCAPE**
Jeffery L. Borsuk James F. Blake **Pandell & Borsuk** 2033 N. Main Street, Suite 450 Walnut Creek, CA 94596-3722 510/746-8800\Fax 510/746-8898 Attorneys for Defendant **CARLOS RODRIGUEZ PAINTING**	David S. Henningsen, Esq. **Robinson & Wood, Inc.** 227 North First Street San Jose, CA 95113 408/298-7120\Fax 408/298-0477 Associate Attorneys for Defendant **B.L. COHEN LANDSCAPE, INC.**
William H. Staples, Esq. **Capps, Staples, Ward, Stephenson & Dodson** 1777 Botelho Drive, Suite 100 Walnut Creek, CA 94596 510/939-4411\510/939-5241 (FAX) Attorneys for Cross-Defendant **SAFECO INSURANCE COMPANY OF AMERICA**	Rand L. Chritton, Esq. Donald B. Fornasier, Esq. **Archer, McComas, Breslin, McMahon & Chritton** 2033 North Main Street, Suite 800 Peri Executive Centre P. O. Box 8035 Walnut Creek, CA 94596 510/930-6600\Fax 510/930-6620 Associate counsel for Defendant **B. L. COHEN LANDSCAPE**
Anthony Varni, Esq. **Varni Fraser Hartwell & Rodgers** 22771 Main Street Hayward, CA 94543-0570 510/886-5000\Fax 510/538-8797	Jilio & Associates, Document Depository c/o San Francisco Reporting Service 5 Third Street, Suite 815 San Francisco, CA 94103

FACSIMILE TRANSMISSION SHEET

THE MILLER LAW FIRM
A California Professional Corporation
4685 MacArthur Court, Suite 300
Newport Beach, California 92660-1853
Phone (949) 252-9150 • Fax (949) 442-0646
www.constructiondefects.com

CONSTRUCTION DEFECT AND LAND SUBSIDENCE LITIGATION

To: Attn: Dina, Clerk of the Court - Dept. 3

From: Joanna Velarde secretary to Bruce Mayfield, Esq.

Date: May 17, 2000

Facsimile: (650) 599-1754

Subject: Edgewater Isle HOA v. The Anden Group, et al.

Pages: 6

Comments: Please see attached courtesy copy of Request for Dismissal. Original to be filed. Thank you.

If you have any trouble reading the attached or it is not completely sent, please contact this office at (949) 252-9150.

This facsimile is intended only for the use of the individual or entity named above and may contain information that is privileged and confidential. If the reader of this fax is not the intended recipient, you are hereby notified that any dissemination or copying of this fax is prohibited. If you receive this fax in error, please notify us by telephone. Thank you.

NOTICE RE SERVICE: The use of facsimile for the transmission of the attached documents by this Firm and/or the sender indicated above shall not be construed as constituting the consent of or by either to service of court papers by facsimile transmission under the provisions of Rule 2009(d) of the California Rules of Court.

CPRN X
CAS 0388872 00 TI EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP,

..	.....PRINCIPAL.....	..	...S-ID.
01	EDGEWATER ISLE HOMEOWNERS ASSO	PL	
02	EDGEWATER ISLE	PL	
03	ANDEN GROUP	DE	
04	;THOMAS E. MILLER	AT	PL
05	MIDEN CORPORATION	DE	
06	;JOHN J. CARNIATO	AT	DE
07	GLORIA DEVELOPMENT CO INC	XC	
08	THE ANDEN GROUP	XD	
09	ESDEN PARTNERS	XD	
10	MDG ASSOCIATES	XD	
11	ESR CORPORATION	XD	
12	TMD CORPORATION	XD	
13	;THOMAS HARAN	AT	XD
14	;KAREN WENTZEL	AT	DE
15	;ROBERT W. CULLEN (ASSOCIATED)	AT	07
16	;ALBERT P. BLAKE, JR.	AT	XD
17	BIJAN AND FLORIAN ASSOC INC	XD	
18	VOLPE ENGINEERING	XD	
19	EDWARD L PACK ASSOCIATES	XD	
20	PACIFIC ENGINEERING	XD	
~~21~~	~~SACRAMENTO A ONE DOOR~~	~~XD~~	
22	;KEVIN J, TULLY, ESQ.	AT	XD
~~23~~	~~T AND D TILE~~	~~XD~~	
24	;ARA SHIRINIAN, ESQ.	AT	XD
25	;RAND L. CHRITTON	AT	XD
26	;HELEN B. BAUMANN	AT	DE
27	;ANTHONY J. DEMARIA, ESQ.	AT	XD
28	;KEVIN J. TULLY, ESQ.	AT	XD
29	;JONATHAN MARGOLIS	AT	XD
30	MISSION DRYWALL OF SAN JOSE	XD	
31	;DONALD L. SULLIVAN, ESQ.	AT	XD
32	;JOSEPH H. HUBER	AT	XD
~~33~~	~~CROWLEY COMPANY~~	~~XD~~	
34	;NANCY MCPHERSON	AT	XD
35	;HOWARD L. CHURCHILL, ESQ.	AT	XD
36	;F. ROSS ADKINS	AT	DE
37	;JEFF PACCASSI (ASSOCIATE)	AT	23
38	HANSON MASONRY INC	XD	
39	;BETH S. FREEDMAN	AT	XD
40	RUTH AND GOING INC	DE	
~~41~~	~~SOIL FOUNDATION SYSTEMS~~	~~DE~~	
42	MELVIN LEE AND ASSOCIATES	DE	
~~43~~	~~C APARICIO CEMENT CONTRACTOR~~	~~DE~~	
44	FISK,FIRENZE AND MC LEAN	DE	
~~45~~	~~SIERRA LUMBER~~	~~DE~~	
46	GONSALVES AND SANTUCCI INC	DE	
47	MISSION DRYWALL OF SAN JOSE	DE	
48	SILVA FENCE COMPANY	DE	
49	SAN CARLOS SHEETMETAL WORKS	DE	
50	ALCAL ROOFING AND INSULATION	DE	
~~51~~	~~DANIEL SMITH PLASTERING INC~~	~~DE~~	
52	TARA COATINGS	DE	
53	;CHESTER G. MOORE, III, ESQ.	AT	DE
54	;JOSEPH H. HUBER	AT	XD
55	CORBIN YAMAFUJI AND PARTNERS	DE	
56	CYP INC	DE	
57	WOODCRAFT CABINETS	DE	

Remaining Defts / X Defts

CPRN X
CAS 0388872 00 TI EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP,

..	.....PRINCIPAL.....	..	...S-ID.
58	NORTH EMPIRE CONSTRUCTION	DE	
59	CONCO CEMENT COMPANY	DE	
60	T AND D TILE	DE	
61	CROWN PLASTICS	DE	
62	SACRAMENTO A ONE DOOR	DE	
63	ACME INDUSTRIES	DE	
64	ASSOCIATED LIGHTING FIXTURE CO	DE	
65	M AND H ELECTRIC	DE	
66	HARRIS FENCE	DE	
67	BORCHERS BROS	DE	
68	PENINSULA FLOORS	DE	
69	BENNETT FLOORS	DE	
70	FRAMES WORK CONNECTION	DE	
71	CERTIFIED PRODUCTS	DE	
72	B L COHEN LANDSCAPE INC	DE	
73	HANSONS MASONRY	DE	
74	TECHNIBUILDERS IRON INC	DE	
75	CARLOS RODRIGUEZ PAINTING	DE	
76	CROWLEY PLUMBING	DE	
77	ASH ROOFING	DE	
78	A J SULLIVAN COMPANY	DE	
79	CELL CRETE	DE	
80	MJR CONSULTING ENGINEERS	DE	
81	EDWARD L PACK ASSOC INC	DE	
82	TJKM	DE	
83	PACIFIC ENGINEERING	DE	
84	PIOMBO FISK FIRENZE MCLEAN	DE	
85	CHRISP COMPANY	DE	
86	R D MOORE CONSTRUCTION CO	DE	
87	SIERRA PRECAST	DE	
88	HOWARD ELECTRIC	DE	
89	CONTINENTAL POOLS	DE	
90	MJB PIPELINE	DE	
91	PACIFIC LINING COMPANY INC	DE	
92	;J. MICHAEL HIGGINBOTHAM, ESQ.	AT	DE
93	;MICHAEL K. BRISBIN, ESQ.	AT	XD
94	CARLOS RODRIQUEZ PAINTING	DE	
95	;JEFFERY L. BORSUK	AT	94

CONT ***CONTINUATION*** 100 MORE PRINCIPALS ON FILE .02

** CASE HISTORY **

CASE TITLE

000388872 EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP,

NATURE OF CASE OTHER CIVIL COMPLAINTS

DEFENDANT CARLOS RODRIQUEZ PAINTING ATTORNEY DAVID L. BRAULT
PLAINTIFF EDGEWATER ISLE ATTORNEY THOMAS E. MILLER

DATE	FILE	EVT	EVENT DESCRIPTION	AGE	TOTAL
07/27/94			FILE DATE	0	0
07/27/94	CACT	COM	4 NEGLIGENCE, ETC. BY PLTF W/SUM ISS !UF	0	0
07/27/94	CACT	FPD	$182.00 ON CMPL BY PLTF !UF	0	0
09/19/94	CACT	COM	1ST AMND CMPL BY PLTF - W/NO SUM ISS !UF	54	54
09/19/94	CACT	NTC	OF UNDOCUMENTED ACTION OF SUMS ISSUED ON 1ST	0	54
09/19/94	CACT		AMNDED COMPL!UL	0	54
10/11/94	CACT	COM	2ND AMND CMPL BY PLTF - W/SUM ISS !UF	22	76
11/16/94	CACT	STP	& ORD SIG BY JDG SERVERIAN W/FPD $14.00 !UF	36	112
11/16/94	CACT	FPD	$546.00 BY O'BRIEN & HICKS, INC., O'BRIEN &	0	112
11/16/94	CACT		HICKS 1988 & BEYOND, LTD. AND GLORIA DEVEL CO	0	112
11/16/94	CACT		INC. (1ST APPEARANCE FEES) !UF	0	112
12/07/94	CACT	ORD	PRE-TRIAL ORD #1 SIG BY JDG SERVERIAN !UF	21	133
12/12/94	CACT	POS	WILLIAM L NAGLE, TOM FIER, ANTHONY B VARNI SRVD	5	138
12/12/94	CACT		PRE-TRIAL ORD #1 (ENDORSED-FILED 12/7/94) 12/7/9	0	138
12/12/94	CACT		BY M! CAG	0	138
12/21/94	CEVN	CMC	CASE MANAGEMENT CONFERENCE	9	147
02/17/95	CACT	ORD	PRE-TRIAL ORD NO. 2 BY WILLIAM L. NAGLE, ESQ.	58	205
02/17/95	CACT		SPECIAL MASTER SIG BY JDG HAHN ON 2-17-95!UL	0	205
02/27/95	CACT	POS	WILLIAM L NAGLE, TOM FIER, ANTHONY B VARNI SRVD	10	215
02/27/95	CACT		PRE-TRIAL ORD #2 (ENDORSED-FILED 2/17/95)	0	215
02/27/95	CACT		2/22/95 BY M! CAG	0	215
03/03/95	CACT	ORD	PRE-TRIAL ORD #3 SIG BY JDG HARRINGTON !UF	4	219
03/07/95	CACT	POS	WILLIAM L NAGLE, TOM FIER, ANTHONY B VARNI SRVD	4	223
03/07/95	CACT		PRE-TRIAL ORD #3 (ENDORSED-FILED 3/3/95) 3/3/95	0	223
03/07/95	CACT		BY M! CAG	0	223
04/11/95	CACT	SOA	BY PLNTF;MICHAEL B ALLEN INSTD OF TOM FIER ! CK	35	258
04/18/95	CACT	POS	WILLIAM NAGLE, ALAN H FINKEL, ANTHONY B VARNI,	7	265
04/18/95	CACT		FIRST STATE MANAGEMENT GROUP, CHUBB CUSTOM MKT,	0	265
04/18/95	CACT		JIM DUNN, GLOBAL SPECIAL RISKS INC, DEBBIE	0	265
04/18/95	CACT		PRICE, MICHAEL ZEA SRVD SOA 4/13/95 BY M! CAG	0	265
05/12/95	CACT	ORD	PRE-TRIAL ORD NO 4 SIG BY JDG HARRINGTON ! CK	24	289
05/17/95	CACT	POS	WILLIAM L NAGLE, MICHAEL B ALLEN, ANTHONY B VARNI	5	294
05/17/95	CACT		DAVID STRONG SRVD PRE-TRIAL ORD #4 (ENDORSED-	0	294
05/17/95	CACT		FILED 5/12/95) 5/15/95 BY M! CAG	0	294
06/28/95	CACT	ORD	PRE-TRIAL NO. 5 SGD JDG HAHN 6-28-95! MS	42	336
07/03/95	CACT	POS	WILLIAM NAGLE, MICHAEL ALLEN, ANTHONY VARNI,	5	341
07/03/95	CACT		DAVID STRONG SRVD PRE-TRIAL ORD #5 6/29/95 BY M	0	341
07/10/95	CACT	ANS	TO 2ND AMND COMPL BY DEFTS GLORIA DEVELOPMENT CO.	7	348
07/10/95	CACT		INC.; O'BRIEN & HICKS, INC.; AND O'BRIAN &	0	348
07/10/95	CACT		HICKS(S) 1988 & BEYOND, LTD. W/POS!UL	0	348
07/10/95	CACT	XCM	OF GLORIA DEVELOPMENT CO., INC. AND O'BRIEN &	0	348

07/10/95	CACT		HICKS, INC., A CALIF CORPS.; VS. THE ANDEN	0	348
07/10/95	CACT		GROUP, A GENERAL PARTNERSHIP, ESDEN PARTNERS, A	0	348
07/10/95	CACT		CALIF LTD PARTNERSHIP, AN ROES 1 - 15, INCLUSIV	0	348
07/10/95	CACT		W/POS & W/NO SUMS ISS!UL	0	348
07/11/95	CACT	SUM	ISS ON XCM OF GLORIA DEVEL CO INC VS. THE	1	349
07/11/95	CACT		ANDEN GROUP, ETAL - NTC OF UNDOCUMENTED	0	349
07/11/95	CACT		ACTION !UF	0	349
07/14/95	CACT	ORD	PRE-TRIAL ORD NO 6 SIG BY JDG HARRINGTON ! CK	3	352
07/18/95	CACT	ORD	AMENDED PRE-TRIAL ORD NO. 6 BY SPECIAL MASTER	4	356
07/18/95	CACT		WILLIAM L. NAGLE SIG BY JDG HARRINGTON ON	0	356
07/18/95	CACT		7-18-95!UL	0	356
07/18/95	CACT	POS	WILLIAM NAGLE, MICHAEL ALLEN, THOMAS HARAN,	0	356
07/18/95	CACT		ANTHONY VARNI & DAVID STRONG SRVD PRE-TRIAL	0	356
07/18/95	CACT		ORD #6 ON 7/14/95 BY M! SCA	0	356
07/21/95	CACT	POS	WILLIAM L NAGLE, MICHAEL B ALLEN, THOMAS O HARAN,	3	359
07/21/95	CACT		ANTHONY B VARNI, DAVID STRONG SRVD AMND PRE-TRIA	0	359
07/21/95	CACT		ORD #6 (ENDORSED-FILED 7/18/95) 7/19/95 BY M! CA	0	359
08/25/95	CACT	ANS	BY XDEFTS THE ANDEN GROUP, ESDEN PARTNERS, MDG	35	394
08/25/95	CACT		ASSOCIATES LTD, ESR CORPORATION, TMD CORPORATIO	0	394
08/25/95	CACT		& MIDEN CORPORATION TO XCM OF GLORIEA DEVELOP	0	394
08/25/95	CACT		& O'BRIEN & HICKS! SCA	0	394
08/25/95	CACT	FPD	$1092 BY XDEFTS THE ANDEN GROUP, ESDEN PARTNERS,	0	394
08/25/95	CACT		MDG ASSOCIATES LTD, ESR CORP, TMD CORP & MIDEN	0	394
08/25/95	CACT		CORP ON ANS! SCA	0	394
08/25/95	CACT	ANS	BY XDEFTS: THE ANDEN GROUP; ESDEN PARTNERS; MDG	0	394
08/25/95	CACT		ASSOC LTD; ESR CORPORATION; TMD CORP & MIDEN CO	0	394
08/25/95	CACT		TO XCM OF GLORIEA DEVEL CO INC! GH	0	394
08/25/95	CACT	FPD	$1092 BY XDEFTS: THE ANDEN GROUP; ESDEN PARTNERS;	0	394
08/25/95	CACT		ASSOC LTD; ESR CORP; TMD CORP & MIDEN CORP! GH	0	394
08/25/95	CACT	ANS	BY XDEFTS: THE ANDEN GROUP; ESDEN PARTNERS; MDG A	0	394
08/25/95	CACT		ESR CORP; TMD CORP & MIDEN CORP TO 2ND AMENDED	0	394
08/25/95	CACT		COMPLAINT ! GH	0	394
~~08/25/95~~	~~CACT~~		~~XCM OF THE ANDEN GROUP VS CORBIN/YAMAFUJI PARTNERS,~~	0	394
08/25/95	CACT		~~ET AL; NO SUMM ISSUED! GH~~	0	394
08/28/95	CACT	ANS	AMND ANS TO XCM OF GLORIA DEVELOPMENT CO INC	3	397
08/28/95	CACT		& O'BRIEN & HICKS INC FOR IMPLIED EQUITABLE	0	397
08/28/95	CACT		IND, ETC BY THE ANDEN GROUP, ESDEN PARTNERS,	0	397
08/28/95	CACT		MDG ASSOCIATES LTD, ESR CORP, TMD CORP &	0	397
08/28/95	CACT		MIDEN CORP! SCA	0	397
08/28/95	CACT	FPD	OF $1092 BY DEFTS ANDEN, ESDEN, MDG, ESR, TMD	0	397
08/28/95	CACT		& MIDEN TO BE REFUNDED AS IT WAS PD TWICE ON	0	397
08/28/95	CACT		8/25/95! SCA	0	397
09/19/95	CACT	SUM	ORIG ISS ON XCM OF ANDEN GROUP! NM	22	419
09/22/95	CACT	ORD	SPECIAL MASTER PRE-TRIAL ORD #7 SIG BY JDG	3	422
09/22/95	CACT		HARRINGTON, JR ON 9/22/95 !UF	0	422
09/27/95	CACT	POS	PRE TRI ORD #7 SRVD 9-25-95 BY M (SEE SVC LIST)!	5	427
10/04/95	CACT	MIS	ATTY'S 1ST CERTIFICATE (C.C.P. 411.35) W/POS BY	7	434
10/04/95	CACT		DEFT THE ANDEN GROUP!UL	0	434
10/12/95	CACT	DEM	BY XDEFT SOIL FOUNDATION SYSTEMS TO XCM OF ANDEN	8	442
10/12/95	CACT		GRP;MEMO OF P&A IN SPRT OF DEM; POS BY M. CK	0	442
10/12/95	CACT	FPD	&182.00 PD BY XDEFT SOIL FOUNDATIONS SYSTEMS !	0	442
10/16/95	CACT	AOC	OF HOGE FENTON JONES & APPEL INC! NM	4	446
10/17/95	CACT	SOA	JOHN J CARNIATO INSTEAD OF VARNI, FRASER, ETAL! N	1	447
10/25/95	CACT	ANS	BY TARA COATINGS, INC. TO XCM OF ADEN GROUP W/POS	8	455

10/25/95	CACT	FPD	$182.00 BY TARA COATINGS INC. ON ANS TO XCM!UL	0	455
10/25/95	CACT	ORD	AMENDME 2 XCM (DESIGNATING ROE XD TS)	0	455
10/25/95	CACT		& ORD SIG BY JDG HARRINGTON, JR !UF	0	455
10/25/95	CACT	FPD	$14.00 ON ORD !UF	0	455
10/27/95	CACT	FPD	182.00 BY SACRAMENTO A-1 DOOR!MM	2	457
10/27/95	CACT	NTC	OF APP BY XDEF SACRAMENTO A-1 DOOR W/POS!MM	0	457
10/27/95	CACT	NTC	OF APP BY XDEF T & D TILE W/POS!MM	0	457
10/27/95	CACT	FPD	182.00 BY T & D TILE!MM	0	457
10/27/95	CACT	FPD	$182.00 BY XDEFT. C. APARICIO CEMENT CONTRACTOR!U	0	457
10/27/95	CACT	ANS	XDEFT. C. APARICIO CEMENT CONTRACTOR NTC OF	0	457
10/27/95	CACT		APPEARANCE IN LIEU OF ANS W/POS !UF	0	457
10/30/95	CACT	NTC	OF APP BY DEFT SAN CARLOS SHEET METAL WORKS, INC.	3	460
10/30/95	CACT		W/POS !RB	0	460
10/30/95	CACT	FPD	$182 PD BY DEFT SAN CARLOS SHEET METAL WORKS, INC	0	460
10/31/95	CACT	FPD	182.00 BY GONSALVES & SANTUCCI, INC. DBA CONCO	1	461
10/31/95	CACT		CEMENT COMPANY!MM	0	461
10/31/95	CACT	ANS	BY GONSALVES & SANTUCCI, INC. DBA CONCO CEMENT	0	461
10/31/95	CACT		CO. 2 XCM OF THE ANDEN GROUP W/POS!MM	0	461
10/31/95	CACT	FPD	182.00 BY NORTH EMPIRE CONSTRUCTION!MM	0	461
10/31/95	CACT	NTC	OF APPEARANCE BY XDEF NORTH EMPIRE CONSTRUCTION!M	0	461
10/31/95	CACT	OPP	DEFT/XCM THE ANDEN GROUP'S OPP TO DEM OF XDEFT	0	461
10/31/95	CACT		SOIL FOUNDATION SYSTEMS; ALONG W/DECL OF MARISA	0	461
10/31/95	CACT		L. D'AMICO W/POS {HRG 11-6-95} "RED STAMP"	0	461
10/31/95	CACT		(1 DAY LATE)!UL	0	461
11/01/95	CACT	FPD	182.00 BY XDEF ALCAL ROOFING & INSULATION!MM	1	462
11/01/95	CACT	NTC	OF APP BY XDEF ALCAL ROOFING & INSULATION W/POS!M	0	462
11/03/95	CACT	FPD	$14 FOR CONTINUANCE OF DEM! MS	2	464
11/06/95	CEVN	HEA	XDEFT SOIL FOUNDATION SYSTEMS HEARING ON DEMURRER	3	467
11/14/95	CACT	FPD	182.00 BY XDEF MISSION DRYWALL OF SAN JOSE!MM	8	475
11/14/95	CACT	NTC	OF APP BY MISSION DRYWALL OF SAN JOSE IN LIEU	0	475
11/14/95	CACT		OF ANS W/POS!MM	0	475
11/15/95	CACT	FPD	BY CROWLEY COMPANY!MM	1	476
11/15/95	CACT	NTC	OF APP OF XDEF CROWLEY COMPANY (SUED AS CROWLEY	0	476
11/15/95	CACT		PLUMBING) W/POS!MM	0	476
11/20/95	CEVN	HEA	XDEFT SOIL FOUNDATION SYSTEMS HEARING ON DEMURRER	5	481
11/21/95	CACT	MIS	ASSOC OF COUNSEL BY NANCY MCPHERSON W/TULLY FOR	1	482
11/21/95	CACT		XDEFT! SCA	0	482
11/21/95	CACT	ORD	PRE-TRIAL ORD #8 SIG BY JDG HARRINGTON !UF	0	482
11/28/95	CACT	POS	PRE TRI ORD #8 SRVD 11-22-95 BY M (SEE SVC LIST)!	7	489
12/26/95	CACT	FPD	182.00 BY SIERRA LUMBER & FENCE CO., INC.!MM	28	517
12/26/95	CACT	ANS	BY SIERRA LUMBER & FENCE CO., INC. 2 XCM OF THE	0	517
12/26/95	CACT		ANDEN GROUP W/POS!MM	0	517
01/19/96	CACT	AOA	LAW OFFICES OF OWEN & MELBYE HAS ASSOCIATED	24	541
01/19/96	CACT		NORMAN LA FORCE, ESQ. OF THE OFFICES OF	0	541
01/19/96	CACT		F. ROSS ADKINS IN THER ABOVE ENTITLED ACTION!UL	0	541
01/29/96	CACT	ORD	PRE-TRIAL ORD #9 SIG BY JDG HARRINGTON ON	10	551
01/29/96	CACT		1-26-96 !UF	0	551
02/01/96	CACT	POS	PRE TRI ORD #9 SRVD 1-30-96 BY M (SEE SVC LIST)!	3	554
02/01/96	CACT	ORD	PRE-TRIAL ORD #10 SIG BY JDG HARRINGTON !RB	0	554
02/06/96	CACT	POS	WILLIAM L. NAGLE, ETC. SEE ATTACHED LIST SRVD ON	5	559
02/06/96	CACT		PRE-TRIAL ORD #10 ON 2/2/96 BY M (SPECIAL MASTE	0	559
03/07/96	CACT	ORD	PRE-TRIAL ORD NO 11 SIG BY JDG HAHN ! CK	30	589
03/11/96	CACT	NTC	OF APPEARANCE OF ASSOCIATED COUNSEL ON BEHALF OF	4	593
03/11/96	CACT		T & D TILE CO., INC. W/POS! MS	0	593

03/11/96	CACT	NTC OF ASSOCIATION OF COUNSEL W/POS! MS	0	593
03/12/96	CACT	POS WILLIAM L. NAGLE, ESQ. SEE ATTACHED LIST SRVD ON	1	594
03/12/96	CACT	PRE-TRIAL ORD #11 ON 3/8/96 BY M !RB	0	594
04/05/96	CACT	DSM ENT XCM ONLY AS TO C. APARICIO CEMENT CONTRACTOR	24	618
04/05/96	CACT	(THE ANDEN GROUP XCM) !RB	0	618
04/08/96	CACT	DSM AS TO ASH ROOFING & DANIEL SMITH PLASTERING!MM	3	621
04/16/96	CACT	DEC OF SERVICE BY MAIL SRVD PRE-TRIAL ORDER NO.12	8	629
04/16/96	CACT	(SEE SERVICE LIST) ON 4-12-96!DD	0	629
04/26/96	CACT	ORD PRE-TRIAL ORD #13 SIG BY JDG FORCUM ON 4/26/96!UF	10	639
04/30/96	CACT	ORD PRE-TRIAL ORD NO. 13 RE SPECIAL APPEARANCE SIG	4	643
04/30/96	CACT	BY JDG HAHN ON 4-29-96!UL	0	643
05/01/96	CACT	POS WILLIAM L. NAGLE, SPEC MASTER (SEE SERVICE LIST)	1	644
05/01/96	CACT	SRVD PRE TRIAL ORD #13 4-29-96 BY M!DD	0	644
05/02/96	CACT	ORD PRE-TRIAL NO. 14 SGD JDG FORCUM 5-2-96! MS	1	645
05/08/96	CACT	POS WILLIAM L NAGLE SPEC MASTER SRVD PRE TRIAL ORD#14	6	651
05/08/96	CACT	5-3-96 BY M (SEE SERVICE LIST)!DD	0	651
05/20/96	CACT	ORD PRE-TRIAL NO. 15 ..ROBERT BROWN TO BE RETAINED BY	12	663
05/20/96	CACT	SPEC MASTER , ETC; SGD BY JDG HAHN 5-17! GH	0	663
05/23/96	CACT	POS WILLIAM L.NAGLE SPEC MAST(SEE SERVICE LIST) SRVD	3	666
05/23/96	CACT	PRE-TRIAL ORD NO.15 5-21-96 BY M!DD	0	666
06/06/96	CACT	AOC XDEFT SILVA FENCE CO ASSOCIATES DAVID N POLL	14	680
06/06/96	CACT	AS CO-COPUNSEL W/POS !JK	0	680
06/18/96	CACT	NTC OF APPEARANCY BY XDEFT. DANIEL SMITH PLASTERING,	12	692
06/18/96	CACT	INC., W/POS !UF	0	692
06/18/96	CACT	FPD $182.00 BY XDEFT. DANIEL SMITH PLASTERING INC!UF	0	692
06/21/96	CACT	ORD PRE-TRIAL ORD #16 SIG BY JDG HAHN ON 6/19/96 !UF	3	695
06/21/96	CACT	POS (SEE SERVICE LIST) SRVD NTC OF APPEARANCE ON	0	695
06/21/96	CACT	6/19/96 BY M !JK	0	695
06/26/96	CACT	POS WILLIAM L NAGLE SPEC MAST(SEE SRVC LIST)SRVD PRE-	5	700
06/26/96	CACT	TRIAL ORD NO.16 6-24-96 BY M!DD	0	700
07/02/96	CACT	ORD PRE-TRIAL ORD NO. 17 BY WILLIAM L. NAGLE SIG BY	6	706
07/02/96	CACT	JDG FORCUM ON 6-28-96!UL	0	706
07/05/96	CACT	FPD 182.00 BY HANSON'S MASONRY, INC.!MM	3	709
07/05/96	CACT	NTC OF APPEARANCE BY HANSON'S MASONRY INC. W/POS!MM	0	709
07/10/96	CACT	POS SPEC MASTER(SEE SERVICE LIST)SRVD PRETRIAL ORD #1	5	714
07/10/96	CACT	7-8-96 BY M!DD	0	714
08/06/96	CACT	ORD PRE-TRIAL ORD #18 SIG BY JDG HAHN 8-1-96! WKP	27	741
08/09/96	CACT	POS PRE TRI ORD #18 SRVD 8-7-97 BY M (SEE SVC LIST)!	3	744
08/13/96	CACT	DSM ENT AS TO ANDEN GROUP, ET AL'S XCM AGAINST	4	748
08/13/96	CACT	XDEFT T & D TILE CO, INC W/O PREJ! NMC	0	748
08/14/96	CACT	ORD PRE-TRIAL ORD NO 19 SIG BY JDG VEAL ON 8/12/96 !J	1	749
08/27/96	CACT	POS "SEE SERVICE LIST" SRVD ENDORSED FILED	13	762
08/27/96	CACT	COPY OF THE REQ 4 DSM W/OUT PREJ OF XDEFT	0	762
08/27/96	CACT	T&D TILE CO INC ONLY ON 8/23/96 BY M! SCA	0	762
09/03/96	CACT	POS "SEE SERVICE LIST" SRVD PRE-TRIAL ORD #19	7	769
09/03/96	CACT	ON 8/27/96 BY M! SCA	0	769
10/02/96	CACT	ORD PRE-TRIAL ORD #19 SIG BY JDG HAHN 10-2-96! WKP	29	798
10/08/96	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #19 10-3-96 BY	6	804
10/08/96	CACT	M! WKP	0	804
10/28/96	CACT	FPD $14 ON EXPARTE! NM	20	824
10/28/96	CACT	MIS APPLIC 4 DETERMINATION OF GOOD FAITH SETTLEMENT!	0	824
10/28/96	CACT	DEC OF DANIEL P BEAVER IN SUPRT OF APPLIC GOOD FAITH!	0	824
10/28/96	CACT	NTC OF SETTLEMENT! NM	0	824
10/28/96	CACT	POS APPLIC 4 DETERM GOOD FAITH SET/DEC OF BEAVER/NTC	0	824

10/28/96	CACT		OF SET SRVD 10-14-96 BY M (SEE SERVICE LIST)! NM	0	824
10/29/96	CACT	ORD	PRE-TRI ORD #20 SIG BY JDG HAHN 10/28/96 !UF	1	825
10/30/96	CACT	ORD	PRE-TRIAL ORD #20 SIG BY JDG HAHN 10/29/96 !UF	1	826
10/30/96	CACT	NTC	OF ENTRY OF JMT OF DISMISSAL W/POS !UF	0	826
11/05/96	CACT	POS	PRE TRIAL ORD #20 SRVD 10-31-96 BY M (SEE SVC LIS	6	832
11/06/96	CACT	MOT	DEFTS/XDEFT. GLORIA DEVELOPMENT COMPANY, INC.,	1	833
11/06/96	CACT		ET AL NTC OF MOT & MOT 2 OPPOSE GOOD FAITH	0	833
11/06/96	CACT		SETTLEMENT APPLICATION ALONG W/MEMO P&A; DECL	0	833
11/06/96	CACT		OF THORSTEN J. PRAY; POS; FPD $14.00 (HRG 12-2)	0	833
11/12/96	CACT	FPD	$14 ON JDR! MS	6	839
11/12/96	CACT	JDR	BY X-DEFT DANIEL SMITH PLASTERING, INC. IN DEFT	0	839
11/12/96	CACT		& X-COMPLAINANT'S OPP & SEPARATE OPP 2 GOOD	0	839
11/12/96	CACT		FAITH SETTLEMENT APLIC W/POS (HRG 12-2-96)! MS	0	839
11/21/96	CACT	FPD	$14 ON JDR! MS	9	848
11/21/96	CACT	JDR	BY PACIFIC COAST BLDG PRODUCTS, DBA ALCAL	0	848
11/21/96	CACT		ROOFING 2 GLORIA DEVELOPMENT CO., INC.'S	0	848
11/21/96	CACT		MOT 2 OPPOSE GOOD FAITH SETTLEMENT W/POS	0	848
11/21/96	CACT		(HRG 12-16-96)! MS	0	848
12/02/96	CEVN	MOT	DEFTS. & XDEFTS. GLORIA DEVELOPMENT COMPANY, INC.	11	859
12/02/96	CEVN	MOT	X-DEFT DANIEL SMITH PLASTERING, INC.'S JOINDER IN	0	859
12/03/96	CACT	DSM	ENT AS TO XCMPL AGAINST SOILS FOUNDATION	1	860
12/03/96	CACT		SYSTEMS ONLY W/PREJ! NMC	0	860
12/06/96	CACT	OPP	PLTFS MEMO IN OPP 2 MOT OPPOSING GOOD FAITH	3	863
12/06/96	CACT		SETTLEMENT APLIC ALONG W/DECL OF MICHAEL B	0	863
12/06/96	CACT		ALLEN; DECL OF KEVIN TULLY; POS (HRG 12-16)!UF	0	863
12/06/96	CACT	FPD	$14 ON JDR! WKP	0	863
12/06/96	CACT	JDR	JDR OF TARA COATINGS IN NTC OF MOT OF O'BRIEN	0	863
12/06/96	CACT		& HICKS,ET AL 2 OPPOSE GOOD FAITH SETTLEMENT	0	863
12/06/96	CACT		APPLIC W/POS (HRG 12-16-96)! WKP	0	863
12/10/96	CACT	ORD	PRE-TRIAL ORD #21 SIG BY JDG HAHN 12-5-96! WKP	4	867
12/11/96	CACT	ORD	DETERMINING GOOD FAITH SETTLEMENT SIG BY JDG	1	868
12/11/96	CACT		FORCUM ON 12/10/96 !UF	0	868
12/12/96	CACT	ROP	REPLY BRIEF BY DANIEL SMITH PLASTERING,INC	1	869
12/12/96	CACT		W/POS (HRG 12-16-96)! WKP	0	869
12/13/96	CACT	POS	PRE TRIAL ORDER #21 SRVD 12-10-96 (SEE SERVICE LI	1	870
12/13/96	CACT	OPP	BY DEFTS & X-COMPLAINANTS THE ANDEN GROUP,	0	870
12/13/96	CACT		ESDEN PARTNERS, MDG ASSOCIATES, LTD., ESR	0	870
12/13/96	CACT		CORP., TMD CORP. & MIDEN CORP.'S JOINDER IN	0	870
12/13/96	CACT		PLTF'S OPP 2 MOT OPPOSING GOOD FAITH SETTLEMENT	0	870
12/13/96	CACT		APLIC W/POS (HRG 12-16-96, 4 DAYS LATE)! MS	0	870
12/16/96	CEVN	MOT	DEFTS. & XDEFTS. GLORIA DEVELOPMENT COMPANY, INC.	3	873
12/16/96	CEVN	MOT	X-DEFT DANIEL SMITH PLASTERING, INC.'S JOINDER IN	0	873
12/16/96	CEVN	MOT	DEFT PACIFIC COAST BUILDING PRODUCTS, DBA ALCAL R	0	873
12/16/96	CEVN	MOT	CROSS-DEFENDANT TARA COATINGS,INC.'S JOINDER IN M	0	873
12/19/96	CACT	NTC	OF ENTRY OF ORD DETERMINING GOOD FAITH SET W/POS	3	876
12/23/96	CACT	ORD	PRE-TRIAL ORD #22 - SIG BY JDG MARK FORCUM 12/23/	4	880
12/24/96	CACT	FPD	$14 ON MOT! MS	1	881
12/24/96	CACT	NTC	OF MOT & MOT 4 RECONSIDERATION OF ORD	0	881
12/24/96	CACT		GRANTING GOOD FAITH SETTLEMENT OF NORTH	0	881
12/24/96	CACT		EMPIRE; MEMO P&A IN SUPRT OF MOT; DECL OF	0	881
12/24/96	CACT		THORSTEN J. PRAY IN SUPRT OF MOT W/POS (HRG 1-1	0	881
12/30/96	CACT	POS	(AMND) (SEE SR LIST) SRVD NTC OF MOT & MOT	6	887
12/30/96	CACT		4 RECONSIDERATION OF ORD GRANTING GOOD FAITH	0	887
12/30/96	CACT		SETTLEMENT OF NORTH EMPIRE; MPA, DEC OF	0	887

12/30/96	CACT	THORSEN J PRAY ON 12/24/96 BY M! NMC	0	887
12/31/96	CACT	POS BY M OF PRE-TRIAL ORDER NO. 22 (SEE SVC LIST)	1	888
12/31/96	CACT	ON 12-27! GH	0	888
01/02/97	CACT	MOT "JOINDER" BY XDEFTS FISK, FIRENZE ET AL IN MOT FO	2	890
01/02/97	CACT	RECONSIDERATION OF ORD GRNTG GOOD FAITH	0	890
01/02/97	CACT	SETTLEMENT OF NO. EMPIRE (HRG 1/14/97)	0	890
01/02/97	CACT	$14 FPD W/POS! SCA	0	890
01/03/97	CACT	NTC (AMENDED) OF MOT & MOT 4 RECONSIDERATION OF	1	891
01/03/97	CACT	ORD GRANTING GOOD FAITH SETTLEMENT OF NORTH	0	891
01/03/97	CACT	EMPIRE W/POS (HRG 1-14-97)! MS	0	891
01/06/97	CACT	OPP PLTF EDGEWATER ISLE HOMEOWNERS ASSOCATION'S	3	894
01/06/97	CACT	MEMO P&A IN OPP 2 O'BRIEN MOT 4 RECONSIDERATION;	0	894
01/06/97	CACT	DEC OF DANIEL P BEAVER IN SUPRT OF OPP;	0	894
01/06/97	CACT	OBJECTION 2 JDR OF X-DEFT FISK,FIRENZE &	0	894
01/06/97	CACT	MCLEAN;POS (HRG 1-14-97)! WKP	0	894
01/14/97	CEVN	MOT DEFTS' GLORIA DEVELOPMENT CO., INC., O'BRIEN & HI	8	902
01/14/97	CEVN	MOT CROSS-DEFT'S FISK, FIRENZE & MCLEAN AND DANIEL SM	0	902
01/23/97	CACT	ORD PRE-TRIAL ORD #23 SIG BY JDG FORCUM (SPECIAL MAST	9	911
01/31/97	CACT	POS WILLIAM L. NAGLE, SEE SERVICE LIST SRVD ON PRE-	8	919
01/31/97	CACT	TRIAL ORD #23 ON 1/29/97 BY M !RB	0	919
02/13/97	CACT	DSM RCVD !UF	13	932
02/13/97	CACT	DSM ENT AS TO XCMPL OF THE ANDEN GROUP AGAINST	0	932
02/13/97	CACT	SIERRA LUMBER & FENCE COMPANY, INC W/O	0	932
02/13/97	CACT	PREJ! NMC	0	932
02/14/97	CACT	ORD PRE-TRIAL ORD #24 (SPECIAL MASTER) SIG BY JDG	1	933
02/14/97	CACT	FORCUM !RB	0	933
02/18/97	CACT	DSM ENT AS TO XCMPL OF THE ANDEN GROUP AS TO	4	937
02/18/97	CACT	SACRAMENTO A-1 DOOR ONLY W/PREJ! NMC	0	937
02/21/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #24 2-19-97	3	940
02/21/97	CACT	BY M! WKP	0	940
02/21/97	CACT	ORD GRANTING MOT 4 RECON & CONFIRMING GOOD FAITH	0	940
02/21/97	CACT	SETTLEMENT SIG BY JDG FORCUM ON 2/20/97 !UF	0	940
02/27/97	CACT	NTC OF ENTRY OF ORD BY MICHAEL B. ALLEN ATTY FOR	6	946
02/27/97	CACT	PLTF W/POS !RB	0	946
03/06/97	CEVN	SET FURTHER SETTLEMENT CONFERENCE	7	953
03/06/97	CACT	ORD AMND PRE TRIAL ORD #24 SIG BY JDG FORCUM	0	953
03/06/97	CACT	3-5-97! WKP	0	953
03/10/97	CACT	COM AMENDMENT 2 CMPL (C C P SEC 474)! NMC	4	957
03/10/97	CACT	ORD PRE-TRIAL ORD NO 25 NAMING DOE DEFTS 1 - 13	0	957
03/10/97	CACT	2 THE 2ND AMND CMPL. DOE 1 = RUTH & GOING,	0	957
03/10/97	CACT	INC; DOE 2 = SOIL FOUNDATION SYSTEMS; DOE 3 =	0	957
03/10/97	CACT	MELVIN LEE & ASSOC; DOE 4 = C APARICIO CEMENT	0	957
03/10/97	CACT	CONTRACTOR; DOE 5 = FISK, FIRENSE & MC LEAN;	0	957
03/10/97	CACT	DOE 6 = SIERRA LUMBER; DOE 7 = GONSALVES &	0	957
03/10/97	CACT	SANTUCCI, INC, DBA CONCO CEMENT CO; DOE 8 =	0	957
03/10/97	CACT	MISSION DRYWALL OF SAN JOSE; DOE 9 = SILVA	0	957
03/10/97	CACT	FENCE COMPANY; DOE 10 = SAN CARLOS	0	957
03/10/97	CACT	SHEETMETAL WORKS; DOE 11 = ALCAL ROOFING &	0	957
03/10/97	CACT	INSULATION; DOE 12 = DANIEL SMITH PLASTERING	0	957
03/10/97	CACT	INC; DOE 13 = TARA COATINGS! NMC	0	957
03/10/97	CACT	POS (SEE SRV LIST) SRVD PRE-TRIAL ORD #25	0	957
03/10/97	CACT	ON 3/10/99 BY M! NMC	0	957
03/11/97	CACT	POS AMENDED PRE TRI ORD #24 SRVD 3-6-97 BY M	1	958
03/11/97	CACT	(SEE SERVICE LIST)! NM	0	958

03/27/97	CACT	NTC OF ENTRY OF DSM/POS UF		16	974
04/14/97	CACT	ANS BY PACIFIC COAST BUILDING PRODUCTS, INC. DBA		18	992
04/14/97	CACT	ALCAL ROOFING & INSULATION 2 2ND AMND CMPL W/PO		0	992
04/22/97	CACT	NTC OF SET! NM		8	1000
04/22/97	CACT	MIS APPLIC FOR DETERM OF GOOD FAITH SET; DEC OF		0	1000
04/22/97	CACT	JOSEPH H HUBER IN SUPRT W/POS! NM		0	1000
05/19/97	CACT	ORD PRE TRIAL ORD #26 SIG BY JDG FORCUM 5-16-97! NM		27	1027
05/21/97	CACT	ORD PRE-TRIAL ORD #27 (SPECIAL MASTER) SIG BY JDG		2	1029
05/21/97	CACT	KOZLOSKI 5/19/97 !RB		0	1029
05/23/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #26 5-21-97		2	1031
05/23/97	CACT	BY M! WKP		0	1031
05/23/97	CACT	ORD DETERMINING CROWLEY COMPANY'S SET 2 BE IN GOOD		0	1031
05/23/97	CACT	FAITH SIG BY JDG PFEIFFER 5-22-97! NM		0	1031
05/28/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #27 5-23-97		5	1036
05/28/97	CACT	BY M! WKP		0	1036
06/09/97	CACT	DSM ENT ONLY AS TO XCM OF THE ANDEN GROUP AGAINST		12	1048
06/09/97	CACT	CROWLEY CO (SUED AS CROWLEY PLUMBING) !RB		0	1048
06/09/97	CACT	NTC OF ENTRY OF ORD W/POS !RB		0	1048
06/09/97	CACT	AOC OF ATTY BY JOSEPH H. HUBER ATTY FOR XD !RB		0	1048
06/16/97	CACT	ORD PRE TRIAL ORD #28 SIG BY JDG FORCUM 6-16-97! WKP		7	1055
06/24/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #28 6-18-97		8	1063
06/24/97	CACT	BY M! WKP		0	1063
07/01/97	CACT	ORD PRE-TRIAL ORD #29 SIG BY JDG FORCUM ON 6/30/97		7	1070
07/01/97	CACT	(SPECIAL MASTER) !RB		0	1070
07/09/97	CACT	POS PRE TRIAL ORDER #29 SRVD 7-3-97 BY M (SEE		8	1078
07/09/97	CACT	SERVICE LIST)! NM		0	1078
07/25/97	CACT	SUM ORIGINAL ISS ON DOE AMENDMENT--DOE 14-50 (NTC		16	1094
07/25/97	CACT	OF UNDOCUMENTED ACT)! WKP		0	1094
07/25/97	CACT	ORD PRE TRIAL ORD #31 SIG BY JDG FORCUM 7-25-97! WKP		0	1094
07/25/97	CACT	MIS CERTIFICATE OF CONSULTATION PURSUANT 2 CCP		0	1094
07/25/97	CACT	411.36 W/POS! WKP		0	1094
07/25/97	CACT	MIS CERTIFICATE OF MERIT PURSUANT 2 CCP 411.35		0	1094
07/25/97	CACT	W/POS! WKP		0	1094
07/25/97	CACT	COM AMNDMNT NAMING DOES 14= CORBIN/YAMAFUJI		0	1094
07/25/97	CACT	& PARTNERS AKA CYP INC, DOE 15 = WOODCRAFT		0	1094
07/25/97	CACT	CABINETS, DOE 16 = NORTH EMPIRE CONSTR,		0	1094
07/25/97	CACT	DOE 17 = CONCO CEMENT CO, DOE 18 = T&D TILE,		0	1094
07/25/97	CACT	DOE 19 = CROWN PLASTICS, DOE 20 = SACRAMENTO		0	1094
07/25/97	CACT	A-1 DOOR, DOE 21 = ACME IND, DOE 22 = ASSOC		0	1094
07/25/97	CACT	LIGHTING FIXTURE, DOE 23 = M&H ELECTRIC,		0	1094
07/25/97	CACT	DOE 24 = HARRIS FENCE, DOE 25 = BORCHERS BROS,		0	1094
07/25/97	CACT	DOE 26 = PENINSULA FLOORS , DOE 27 = BENNETT		0	1094
07/25/97	CACT	FLOORS, DOE 28 = FRAMES WORK CONNECTION,		0	1094
07/25/97	CACT	DOE 29 = CERTIFIED PRODUCTS, DOE 30 = B.L.		0	1094
07/25/97	CACT	COHEN LANDSCAPE INC, DOE 31 = HANSON'S MASONRY,		0	1094
07/25/97	CACT	DOE 32 = TECHNIBUILDERS IRON INC,		0	1094
07/25/97	CACT	DOE 33 = CARLOS RODRIGUEZ PAINTING		0	1094
07/25/97	CACT	DOE 34 = CROWLEY PLUMBING, DOE 35 = ASH ROOFING		0	1094
07/25/97	CACT	DOE 36 = A.J. SULLIVAN CO, DOE 37 = CELL CRETE		0	1094
07/25/97	CACT	DOE 38 = MJR CONSULTIING ENGINEERS		0	1094
07/25/97	CACT	DOE 39 = EDWARD L. PACK ASSOC INC		0	1094
07/25/97	CACT	DOE 40 = TJKM, DOE 41 = PACIFIC ENGINEERING		0	1094
07/25/97	CACT	DOE 42 = PIOMBO FISK, FIRENZE, MCLEAN		0	1094
07/25/97	CACT	DOE 43 = CHRISP COMPANY		0	1094

07/25/97	CACT		DOE 44 = R.D. MOORE CONSTR CO	0	1094
07/25/97	CACT		DOE 4[redacted] = SIERRA PRECAST, DOE 46 [redacted]M&H ELECTRIC	0	1094
07/25/97	CACT		DOE 47 = HOWARD ELECTRIC,	0	1094
07/25/97	CACT		DOE 48 = CONTINENTAL POOLS	0	1094
07/25/97	CACT		DOE 49 = MJB PIPELINE	0	1094
07/25/97	CACT		DOE 50 = PACIFIC LINING CO INC! SCA	0	1094
07/28/97	CACT	SOA	LAW OFFICES OF THOMAS E MILLER INSTEAD OF	3	1097
07/28/97	CACT		LAW OFFICES OF MICHAEL B ALLEN,APC W/POS! WKP	0	1097
07/29/97	CACT	PTO	#30 - SIG BY JDG MARK R. FORCUM 7/28/97 ! SCA	1	1098
07/31/97	CACT	POS	GONSALVES & SANTUCCI SRVD SUM ON 2ND AMND CMPL/	2	1100
07/31/97	CACT		2ND AMND CMPL/AMNDMNT TO CMPL BY M ON 7/25/97!	0	1100
07/31/97	CACT	POS	TARA COATINGS SRVD SUMS ON 2ND AMND CMPL/2ND AMND	0	1100
07/31/97	CACT		CMPL/AMNDMNT TO CMPL BY SRVG KEVIN GREELY	0	1100
07/31/97	CACT		PRESIDENT BY LEAVING COIPIES W/SANDRA MORIARTY	0	1100
07/31/97	CACT		SECRETARY ON 7/23/97! SCA	0	1100
07/31/97	CACT	POS	TARA COATINGS ATTN KEVIN GREELY SRVD SUMS	0	1100
07/31/97	CACT		ON 2ND AMND CMPL/ 2ND AMND CMPL/ AMNDMNT TO	0	1100
07/31/97	CACT		CMPL ON 7/25/97 BY M! SCA	0	1100
07/31/97	CACT	POS	MELVIN LEE ASSOC SRVD SUM ON 2ND AMND CMPL/	0	1100
07/31/97	CACT		2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG MELVIN	0	1100
07/31/97	CACT		LEE BY LEAVING COPIES W/JORDAN STEINBERG -	0	1100
07/31/97	CACT		PERSON IN CHARGE ON 7/23/97! SCA	0	1100
07/31/97	CACT	POS	MELVIN LEES ASSOC ATTN: MELVIN LEE SRVD	0	1100
07/31/97	CACT		SUMS ON 2ND AMND CMPL/2ND AMND CMPL/	0	1100
07/31/97	CACT		AMNDMNT TO CMPL ON 7/25/97 BY M! SCA	0	1100
07/31/97	CACT	POS	SIERRA LUMBER BY SRVG ROGER A. BURCH - REGISTERED	0	1100
07/31/97	CACT		AGNT SRVD SUM ON 2ND AMND CMPL/2ND AMND CMPL/	0	1100
07/31/97	CACT		AMNDMNT TO CMPL BY SRVG AUSTIN L. VANDERHOFF	0	1100
07/31/97	CACT		- EXECUTIVE VICE PRES ON 7/23/97 ! SCA	0	1100
07/31/97	CACT	POS	GONSALVES & SANTUCCI INC DBA CONCO CEMENT CO	0	1100
07/31/97	CACT		SRVD SUMS ON 2ND AMND CMPL/2ND AMND CMPL/	0	1100
07/31/97	CACT		AMNDMNT TO CMPL BY SRVG STEVEN A. GONSALVES -	0	1100
07/31/97	CACT		PRESIDENT BY LEAVING COPIES W/HOLLY VERTUCCELLI	0	1100
07/31/97	CACT		PERSON IN CHARGE ON 7/23/97 ! SCA	0	1100
07/31/97	CACT	POS	SILVA FENCE COMPANY ATTN THERESA SILVA SRVD	0	1100
07/31/97	CACT		SUM ON 2ND AMND CMPL/2ND AMND CMPL/AMNDMNT	0	1100
07/31/97	CACT		TO CMPL ON 7/25/97 BY M! SCA	0	1100
07/31/97	CACT	POS	RUTH & GOING INC SRVD SUM ON 2ND AMND CMPL/	0	1100
07/31/97	CACT		2ND AMND CMPL/AMNDMNT TO CMPL BY SRVG	0	1100
07/31/97	CACT		ROBERT A. SMITH - REGISTERED AGNT BY LEAVING	0	1100
07/31/97	CACT		COPIES W/SHAWN PORTER - AUTH AGNT ON 7/23/97! S	0	1100
07/31/97	CACT	POS	DANIEL SMITH PLASTERING INC SRVD SUMS ON 2ND	0	1100
07/31/97	CACT		AMND CMPL/ 2ND AMND CMPL/AMNDMNT TO CMPL BY	0	1100
07/31/97	CACT		SRVG JANE DOE-EMPLOYEE ON 7/23/97 ! SCA	0	1100
07/31/97	CACT	DEC	OF DILIGENCE ON DANIEL SMITH PLASTERING INC! SCA	0	1100
07/31/97	CACT	POS	DANIEL SMITH PLASTERING INC SRVD 7/25/97 BY M! SC	0	1100
07/31/97	CACT	POS	C. APARACIO CEMENT CONTRACTOR SRVD SUMS ON 2ND AM	0	1100
07/31/97	CACT		CMPL/ 2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG	0	1100
07/31/97	CACT		EDWARD T. BERGO - AUTH AGNT ON 7/23/97! SCA	0	1100
07/31/97	CACT	POS	SOIL FOUNDATION SYSTEMS SRVD SUM ON 2ND AMND CMPL	0	1100
07/31/97	CACT		2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG K.C.	0	1100
07/31/97	CACT		SOHN - AUTH AGNT ON 7/23/97 BY P! SCA	0	1100
07/31/97	CACT	POS	SILVA FENCE CO SRVD SUM ON 2ND AMND CMPL/	0	1100
07/31/97	CACT		2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG	0	1100

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07/31/97 CACT        THERESA SILVA - AUTH AGNT BY LEAVING COPIES          0   1100
07/31/97 CACT        W/MELL - PERSON IN CHARGE ON 23/97! SCA              0   1100
08/01/97 CACT FPD 364.00 BY MELVIN LEE & ASSOCIATES,INC. AND RUTH         1   1101
08/01/97 CACT        & GOING,INC.!MM                                      0   1101
08/01/97 CACT NTC OF APP BY MELVIN LEE & ASSOCIATES,INC. AND RUTH         0   1101
08/01/97 CACT        & GOING,INC.!MM                                      0   1101
08/04/97 CACT POS SEE SRVC LIST SRVD PRE TRIAL ORD #30 7-31-97            3   1104
08/04/97 CACT        BY M! WKP                                            0   1104
08/07/97 CACT POS BENNETT FLOORS SRVD ON SUM ON DOE AMNDMT; PLTF'S        3   1107
08/07/97 CACT        DOE AMNDMT; 2ND AMND CMPL ON 7/27/97 BY P SS         0   1107
08/07/97 CACT        (IRA C. BENNETT, OWNER) !RB                          0   1107
08/07/97 CACT POS FRAMES WORK CONNECTION SRVD ON SUM ON DOE AMNDMT;        0   1107
08/07/97 CACT        PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2      0   1107
08/07/97 CACT        BY P, SS (MARTIN FRAME, CORP OFFICER) !RB            0   1107
08/07/97 CACT POS B.L. COHEN LANDSCAPE, INC. SRVD ON SUM ON DOE AMN       0   1107
08/07/97 CACT        PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL; ON         0   1107
08/07/97 CACT        7/28/97 BY P, SS (BARRY L. COHEN) !RB                0   1107
08/07/97 CACT POS HANSON'S MASONRY SRVD ON SUM ON DOE AMNDMT; PLTF'       0   1107
08/07/97 CACT        DOE AMNDMT TO CMPL; 2ND SMND CMPL ON 7/27/97 BY      0   1107
08/07/97 CACT        SS (NANCY HANSON, CORP SECRETARY) !RB                0   1107
08/07/97 CACT POS TECHNIBUILDERS IRON, INC. SRVD ON SUM ON DOE AMND       0   1107
08/07/97 CACT        PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2      0   1107
08/07/97 CACT        BY SS (LEROY HEINRICHS AGENT) !RB                    0   1107
08/07/97 CACT POS CARLOS RODRIGUEZ PAINTING SRVD ON SUM ON DOE AMND       0   1107
08/07/97 CACT        PLTF'S DOE AMNDMT; 2ND AMND CMPL ON 7/26/97 BY       0   1107
08/07/97 CACT        SS (CARLOS RODRIGUEZ, OWNER) !RB                     0   1107
08/07/97 CACT POS ASH ROOFING SRVD ON SUM ON DOE AMNDMT; PLTF'S           0   1107
08/07/97 CACT        DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97         0   1107
08/07/97 CACT        BY SS (LINDA ASH, PRESIDENT) !RB                     0   1107
08/07/97 CACT POS A.J. SULLIVAN CO SRVD ON CUM ON DOE AMNDMT; PLTF'       0   1107
08/07/97 CACT        DOE AMNDMT; 2ND AMND CMPL ON 7/27/97 BY SS           0   1107
08/07/97 CACT        (ARTHUR JAMES SULLIVAN, OWNER) !RB                   0   1107
08/07/97 CACT POS CELL-CRETE SRVD ON SUM ON DOE AMNDMT; PLTF'S DOE        0   1107
08/07/97 CACT        AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97 BY SS       0   1107
08/07/97 CACT        (LEWIS C.G. FISHER CORP OFFICER), W/DECL OF          0   1107
08/07/97 CACT        DILIGENCE & BY M !RB                                 0   1107
08/07/97 CACT POS EDWARD L. PACK & ASSOC, INC. SRVD ON SUM ON DOE         0   1107
08/07/97 CACT        AMNDMT; PLTF'S DOE AMNDMT; 2ND AMND CMPL ON 7/2      0   1107
08/07/97 CACT        BY SS (JEFFREY K. PACK, AGENT) !RB                   0   1107
08/07/97 CACT POS PIOMBO-FISK, FIRENZE, MCLEAN SRVD ON SUM ON DOE         0   1107
08/07/97 CACT        AMNDMT; PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMP      0   1107
08/07/97 CACT        ON 7/26/97 BY SS (ROBERT DAMIR, AGENT) !RB           0   1107
08/07/97 CACT POS CHRISP CCOMPANY SRVD ON SUM ON DOE AMNDMT; PLTF'S       0   1107
08/07/97 CACT        DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97         0   1107
08/07/97 CACT        BY SS (TOM FANNIN, CONTROLLER) W/DECL OF DILIGE      0   1107
08/07/97 CACT        & BY M !RB                                           0   1107
08/07/97 CACT POS R.D. MOORE CONST CO SRVD ON SUM ON DOE AMNDMT;          0   1107
08/07/97 CACT        PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2      0   1107
08/07/97 CACT        BY SS (ROBERT MOORE, AGENT) !RB                      0   1107
08/07/97 CACT POS SIERRA PRECAST SRVD ON SUM ON DOE AMNDMT; PLTF'S        0   1107
08/07/97 CACT        DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97         0   1107
08/07/97 CACT        BY SS (RAY J. SCHOLZ, AGENT) !RB                     0   1107
08/07/97 CACT POS HOWARD ELECTRIC SRVD ON SUM ON DOE AMNDMT; PLTF'S       0   1107
08/07/97 CACT        DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97         0   1107
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08/07/97 CACT        BY SS (DON BEUKERS, PRESIDENT) !RB                    0   1107
08/07/97 CACT POS CONTINENTAL POOLS SRVD ON SUM ON DOE AMNDMT; PLTF         0   1107
08/07/97 CACT        DOE AMNDMT; 2ND AMND CMPL ON 7/27/97 BY SS            0   1107
08/07/97 CACT        (ALBERT LEROY TOWNSEND, PRESIDENT) !RB                0   1107
08/07/97 CACT POS MJB PIPELINE SRVD ON SUM ON DOE AMNDMT; PLTF'S            0   1107
08/07/97 CACT        DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2897 BY        0   1107
08/07/97 CACT        SS (MANUEL DE FREITAS, OWNER) W/DECL OF DILIGEN       0   1107
08/07/97 CACT        & BY M !RB                                            0   1107
08/07/97 CACT POS PACIFIC LINING CO. INC. SRVD ON SUM ON DOE AMNDMT         0   1107
08/07/97 CACT        PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2       0   1107
08/07/97 CACT        BY SS (JOHAN PERSLOW, PRESIDENT) !RB                  0   1107
08/07/97 CACT POS RUTH & GOING,INC BY SRVING BOB SMITH,PRESIDENT            0   1107
08/07/97 CACT        SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;           0   1107
08/07/97 CACT        SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2           0   1107
08/07/97 CACT        COM;POS BY MAIL;SRVC LIST;2ND AMND COM 7-28-97        0   1107
08/07/97 CACT        BY SS (CATHY DE MARIA,BUSINESS ADMINISTRATOR)         0   1107
08/07/97 CACT        & BY M! WKP                                           0   1107
08/07/97 CACT POS SOIL FOUNDATION SYSTEMS SRVD SUM ON 2ND AMND              0   1107
08/07/97 CACT        COM;PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;           0   1107
08/07/97 CACT        PLTF'S DOE AMENDMENT 2 COM;POS BY MAIL;SRVC           0   1107
08/07/97 CACT        LIST;2ND AMND COM 7-28-97 BY P (PATRICK FAIN,         0   1107
08/07/97 CACT        VP)! WKP                                              0   1107
08/07/97 CACT POS MELVIN LEE & ASSOCITES BY SRVING MELVIN LEE,              0   1107
08/07/97 CACT        PRESIDENT SRVD SUM ON 2ND AMND COM;PRE TRIAL          0   1107
08/07/97 CACT        ORD #25;SUM ON DOE AMENDMENT;PLTF'S DOE               0   1107
08/07/97 CACT        AMENDMENT 2 COM;POS BY MAIL;SRVC LIST;2ND AMND        0   1107
08/07/97 CACT        COM 7-28-97 BY SS (JORDAN STPARG,SUPERVISOR)          0   1107
08/07/97 CACT        & BY M! WKP                                           0   1107
08/07/97 CACT POS C APARICIO CEMENT CONTRACTOR SRVD SUM ON 2ND              0   1107
08/07/97 CACT        AMND COM;PRE TRIAL ORD #25;SUM ON DOE                 0   1107
08/07/97 CACT        AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;POS BY M;        0   1107
08/07/97 CACT        SRVC LIST;2ND AMND COM 7-28-97 BY P (ED BERGO,        0   1107
08/07/97 CACT        AUTHORIZED AGT)! WKP                                  0   1107
08/07/97 CACT POS FISK,FIRENZE & MCLEAN SRVD SUM ON 2ND AMND COM;           0   1107
08/07/97 CACT        PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;PLTF'S         0   1107
08/07/97 CACT        DOE AMENDMENT 2 COM;POS BY M;SRVC LIST;2ND            0   1107
08/07/97 CACT        AMND COM 7-28-97 BY P (DAVID FIRENZE)! WKP            0   1107
08/07/97 CACT POS SIERRA LUMBER BY SRVING ROGER BURCH,AUTHORIZED            0   1107
08/07/97 CACT        AGT SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;       0   1107
08/07/97 CACT        SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2           0   1107
08/07/97 CACT        COM;POS BY M;SRVC LIST;2ND AMND COM 7-28-97           0   1107
08/07/97 CACT        BY SS (VIVIAN HOUNSHELL,CONTRACT ADMINISTRATOR)       0   1107
08/07/97 CACT        & BY M! WKP                                           0   1107
08/07/97 CACT POS GONSALVES & SANTUCCI,INC DBA CONCO CEMENT CO              0   1107
08/07/97 CACT        SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;           0   1107
08/07/97 CACT        SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2           0   1107
08/07/97 CACT        COM;POS BY M;SRVC LIST;2ND AMND COM 7-28-97           0   1107
08/07/97 CACT        BY P (BARRY SILBERMON,VP)! WKP                        0   1107
08/07/97 CACT POS MISSION DRYWALL OF SAN JOSE SRVD SUM ON 2ND               0   1107
08/07/97 CACT        AMND COM;PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;      0   1107
08/07/97 CACT        PLTF'S DOE AMENDMENT 2 COM;POS BY M;SRVC LIST;        0   1107
08/07/97 CACT        2ND AMND COM 7-28-97 BY P (JOHN MENDEZ,OWNER)! W      0   1107
08/07/97 CACT POS SILVA FENCE COMPANY SRVD SUM ON 2ND AMND COM;PRE          0   1107
08/07/97 CACT        TRIAL ORD #25;SUM ON DOE AMENDMENT;PLTF'S DOE         0   1107
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08/07/97 CACT        AMENDMENT 2 COM;POS BY M;SRVC LIST;2ND AMND          0   1107
08/07/97 CACT        COM 7-28-97 BY P (STEVE DREXLER,OWNER)! WKP          0   1107
08/07/97 CACT POS SAN CARLOS SHEETMETAL WORKS SRVD SUM ON 2ND             0   1107
08/07/97 CACT        AMND COM;PRE TRIAL ORD #25;SUM ON DOE                0   1107
08/07/97 CACT        AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;POS BY M;       0   1107
08/07/97 CACT        SRVC LIST;2ND AMND COM 7-28-97 BY P (GARY            0   1107
08/07/97 CACT        DIBENEDETTI,PRESIDENT)! WKP                          0   1107
08/07/97 CACT POS ALCAL ROOFING & INSULATION BY SRVING DAVID             0   1107
08/07/97 CACT        LUCCHETTI,AUTHORIZED AGT SRVD SUM ON 2ND             0   1107
08/07/97 CACT        AMND COM;PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;     0   1107
08/07/97 CACT        PLTF'S DOE AMENDMENT 2 COM;POS BY M;SRVC LIST;       0   1107
08/07/97 CACT        2ND AMND COM 7-28-97 BY SS (NANCY CLARK,             0   1107
08/07/97 CACT        SUPERVISOR) & BY M! WKP                              0   1107
08/07/97 CACT POS DANIEL SMITH PLASTERING,INC BY SRVING DANIEL           0   1107
08/07/97 CACT        SMITH SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD         0   1107
08/07/97 CACT        #25;SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2      0   1107
08/07/97 CACT        COM;POS BY M;SRVC LIST;2ND AMND COM 7-28-97 BY       0   1107
08/07/97 CACT        SS (MERIDTH DAVIS,SECRETARY) & BY M! WKP             0   1107
08/07/97 CACT POS TARA COATINGS BY SRVING KEVIN GREELY,PRESIDENT         0   1107
08/07/97 CACT        SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;SUM       0   1107
08/07/97 CACT        ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;         0   1107
08/07/97 CACT        POS BY M;SRVC LIST;2ND AMND COM 7-28-97 BY           0   1107
08/07/97 CACT        SS (SANDRA MORIARTY,OFFICE MANAGER) & BY M! WKP      0   1107
08/07/97 CACT POS CORBIN/YAMAFUJI & PARTNERS AKA CYP,INC BY SRVING       0   1107
08/07/97 CACT        DONALD R CORBIN,PRESIDENT SRVD SUM ON DOE            0   1107
08/07/97 CACT        AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;2ND             0   1107
08/07/97 CACT        AMND COM 7-27-97 BY SS (RON DURAN,SECURITY           0   1107
08/07/97 CACT        OFFICER) & BY M! WKP                                 0   1107
08/07/97 CACT POS T & D TILE,INC SRVD SUM ON DOE AMENDMENT;PLTF'S         0   1107
08/07/97 CACT        DOE AMENDMENT 2 COM;2ND AMND COM 7-28-97 BY          0   1107
08/07/97 CACT        P (ALLEN DELLA MAGGIORE,CORPORATE OFFICER,           0   1107
08/07/97 CACT        AUTHORIZED AGT)! WKP                                 0   1107
08/07/97 CACT POS CROWN PLASTICS BY SRVING JOHN L BLADES,REGISTERED      0   1107
08/07/97 CACT        AGT SRVD SUM ON DOE AMENDMENT;PLTF'S DOE             0   1107
08/07/97 CACT        AMENDMENT;2ND AMND COM 7-28-97 BY SS (DONNA          0   1107
08/07/97 CACT        MCFARLANE,PERSON IN CHARGE) & BY M! WKP              0   1107
08/07/97 CACT POS ACME INDUSTRIES BY SRVING T.J. BARTELL,PRES            0   1107
08/07/97 CACT        SRVD SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT       0   1107
08/07/97 CACT        2 COM;2ND AMND COM 7-28-97 BY SS (BARBARA            0   1107
08/07/97 CACT        MARNY,MANAGER) & BY M! WKP                           0   1107
08/07/97 CACT POS ASSOCIATED LIGHTING FIXTURE COMPANY SRVD SUM ON        0   1107
08/07/97 CACT        DOE AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;2ND         0   1107
08/07/97 CACT        AMND COM 7-28-97 BY P (BOB KLATZ,OWNER)! WKP         0   1107
08/07/97 CACT POS M & H ELECTRIC SRVD SUM ON DOE AMENDMENT;PLTF'S         0   1107
08/07/97 CACT        DOE AMENDMENT 2 COM;2ND AMND COM 7-26-97 BY          0   1107
08/07/97 CACT        P (MANUEL ROMAN,JR,AUTHORIZED AGT)! WKP              0   1107
08/07/97 CACT POS BORCHERS BROS BY SRVING JOHN BORCH,PRESIDENT           0   1107
08/07/97 CACT        SRVD SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT       0   1107
08/07/97 CACT        2 COM;2ND AMND COM 7-28-97 BY SS (CHRIS              0   1107
08/07/97 CACT        HOEBEL,SUPERVISOR) & BY M! WKP                       0   1107
08/07/97 CACT POS PENINSULA FLOORS BY SRVING PATRICK MAHONEY,            0   1107
08/07/97 CACT        REGISTERED AGT SRVD SUM ON DOE AMENDMENT;            0   1107
08/07/97 CACT        PLTF'S DOE AMENDMENT;2ND AMND COM 7-27-97 BY         0   1107
08/07/97 CACT        SS (MS MAHONEY,WIFE) & BY M! WKP                     0   1107
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08/14/97	CACT	ANS BY HANS[redacted]'S MASONRY,INC. 2 1ST AMND CMPL W/POS!MM	7	1114
08/18/97	CACT	ORD PRE TR[redacted]L ORD #32 SIG BY JDG FORCU[redacted]-18-971 NM	4	1118
08/25/97	CACT	ANS BY GONSALVES & SANTUCCI,INC. DBA CONCO CEMENT	7	1125
08/25/97	CACT	COMPANY 2 SECOND AMND CMPL W/POS!MM	0	1125
08/27/97	CACT	ANS BY T & D TILE COMPANY,INC TO 2ND AMND COM W/POS!	2	1127
08/28/97	CACT	OPP 2 PLTFS MOT 2 AUGMENT EXPERT WITNESS DESIGNATION	1	1128
08/28/97	CACT	(HRG 9/3/97 - SP MASTER)! NMC	0	1128
08/29/97	CACT	POS CERTIFIED PRODUCTS SRVD SUM ON DOE AMENDMENT;	1	1129
08/29/97	CACT	PLTF'S DOE AMENDMENT 2 COM;2ND AMND COM	0	1129
08/29/97	CACT	7-28-97 BY M (DONALD L LOHOFF,PRESIDENT)	0	1129
08/29/97	CACT	(CERTIFIED & RETURN RECEIPT ATTACHED)! WKP	0	1129
08/29/97	CACT	POS MJR CONSULTING ENGINEERS SRVD SUM ON DOE AMENDMEN	0	1129
08/29/97	CACT	PLTF'S DOE AMENDMENT 2 COM;2ND AMND COM 7-28-97	0	1129
08/29/97	CACT	BY M (MICHAEL JOSEPH RHODES,OWNER) (CERTIFIED	0	1129
08/29/97	CACT	& RETURN RECEIPT ATTACHED)! WKP	0	1129
08/29/97	CACT	POS CERTIFIED PRODUCTS SRVD SUM ON DOE AMENDMENT;	0	1129
08/29/97	CACT	PLTF'S DOE AMENDMENT 2 COM;2ND AMND COM	0	1129
08/29/97	CACT	7-28-97 BY P (DONALD L LOHOFF,PRESIDENT)! WKP	0	1129
08/29/97	CACT	POS WOODCRAFT CABINETS BY SRVING RONALD R ALBER,	0	1129
08/29/97	CACT	PRESIDENT SRVD SUM ON DOE AMENDMENT;PLTF'S	0	1129
08/29/97	CACT	DOE AMENDMENT;2ND AMND COM 7-28-97 BY SS	0	1129
08/29/97	CACT	(JOEL BARRETO,MANAGER) & BY M! WKP	0	1129
08/29/97	CACT	POS HARRIS FENCE BY SRVING DONALD HARRIS,III,	0	1129
08/29/97	CACT	AUTHORIZED AGT SRVD SUM ON DOE AMENDMENT;PLTF'S	0	1129
08/29/97	CACT	DOE AMENDMENT 2 COM;2ND AMND COM 7-28-97 BY SS	0	1129
08/29/97	CACT	(KATHY COHEN,PERSON IN CHARGE) & BY M	0	1129
08/29/97	CACT	(DEC OF DILIGENCE ATTACHED)! WKP	0	1129
09/03/97	CEVN	HEA SETTLEMENT CONFERENCE	5	1134
09/03/97	CACT	FPD $182 BY CARLOS RODRIGUEZ PAINTING ON 1ST APPEAR!	0	1134
09/03/97	CACT	NTC OF APPEARANCE BY CARLOS RODRIGUEZ PAINTING	0	1134
09/03/97	CACT	W/POS! WKP	0	1134
09/04/97	CACT	NTC OF APPEARANCE BY MICHAEL D. BRUNO ATTY FOR DEFT !	1	1135
09/04/97	CACT	FPD $182 PD BY DANIEL SMITH PLASTERING !RB	0	1135
09/15/97	CACT	ORD AMENDED PRE TRI ORD #32 SIG BY JDG FORCUM 9-10-97	11	1146
09/18/97	CACT	FPD 182.00 BY PENINSULA FLOORS,INC.!MM	3	1149
09/18/97	CACT	ANS BY PENINSULA FLOORS,INC. 2 2ND AMND CMPL W/POS!MM	0	1149
09/19/97	CACT	ANS BY SIERRA LUMBER & FENCE CO 2 2ND AMND CMPL W/POS	1	1150
09/23/97	CACT	ORD PRE TRIAL ORD #33 SIG BY JDG FORCUM 9-22-971 NM	4	1154
09/26/97	CACT	FPD 182.00 BY CHRISP COMPANY!MM	3	1157
09/26/97	CACT	ANS BY CHRISP COMPANY 2 CMPL W/POS!MM	0	1157
09/29/97	CACT	FPD 182.00 BY B.L. COHEN LANDSCAPE!MM	3	1160
09/29/97	CACT	NTC OF APP BY B.L. COHEN LANDSCAPE W/POS!MM	0	1160
10/02/97	CACT	FPD 182.00 BY SILVA FENCE COMPANY!MM	3	1163
10/02/97	CACT	NTC OF APP BY SILVA FENCE COMPANY W/POS!MM	0	1163
10/06/97	CACT	ORD PRE TRI ORD #36 SIG BY JDG FORCUM 10-6-97! NM	4	1167
10/06/97	CACT	ORD PRE TRI ORD #34 SIG BY JDG FORCUM 10-6-97! NM	0	1167
10/06/97	CACT	ORD PRE TRI ORD #35 SIG BY JDG FORCUM 10-6-97! NM	0	1167
10/06/97	CACT	POS SEE SRVC LIST SRVD AMND PRE TRIAL ORD #32 &	0	1167
10/06/97	CACT	PRE TRIAL ORD #33 10-1-97 BY M! WKP	0	1167
10/07/97	CACT	AOC STEPHAN & CONROY ASSOCIATES LAW OFFICES OF	1	1168
10/07/97	CACT	CHARLOTTE M VENNER W/POS! WKP	0	1168
10/10/97	CACT	POS PRE TRIAL ORD #25 SRVD 10-7-97 BY M (SEE	3	1171
10/10/97	CACT	SERVICE LIST)! NM	0	1171
10/14/97	CACT	ANS BY DEFT TARA COATINGS, INC., SUED AS DOE 13	4	1175

10/14/97	CACT	2 2N[redacted]MND CMPL UF	0	1175
10/22/97	CACT	MOT BY DEF[redacted] TECHNIBUILDERS IRON TO DI[redacted]ISS ACTION /	8	1183
10/22/97	CACT	MEMO P& A / DECL CAROL J STAIR / PROP ORDER	0	1183
10/22/97	CACT	WPOS (11-20)! GH	0	1183
10/22/97	CACT	POS WILLIAM L NAGLE, MICHAEL B ALLEN, ET AL (SEE	0	1183
10/22/97	CACT	SRVC LIST) SRVD PRE-TRIAL ORD #34 & 36 ON	0	1183
10/22/97	CACT	10/17/97 BY M UF*	0	1183
10/23/97	CACT	FPD $14 ON MOT! MS	1	1184
10/23/97	CACT	NTC OF MOT & MOT BY DEFT CARLOS RODRIGUEZ	0	1184
10/23/97	CACT	PAINTING 2 DISMISS ACTION PURSUANT 2	0	1184
10/23/97	CACT	CCP S 583.420; MPA IN SUPRT THEREOF;	0	1184
10/23/97	CACT	DECL OF JAMES F. BLAKE; & PROPOSED ORD;	0	1184
10/23/97	CACT	POS (HRG 11-20-97)! MS	0	1184
10/27/97	CACT	ANS BY DEFT CARLOS RODRIGUEZ PAINTING 2 CMPL UF	4	1188
11/03/97	CACT	ORD PRE-TRIAL ORD NO. 37 SGD JDG FORCUM 11-3-97! MS	7	1195
11/03/97	CACT	ORD PRE-TRIAL ORD NO. 38 ORD RE DEPO SCHEDULE	0	1195
11/03/97	CACT	& PROTOCOL SGD JDG FORCUM 11-3-97! MS	0	1195
11/06/97	CACT	AOC THE DOMINION LAW GROUP ASSOCIATES DAVID S	3	1198
11/06/97	CACT	HENNINGSEN OF ROBINSON & WOOD,INC W/POS! WKP	0	1198
11/06/97	CACT	FPD $14 ON MOT! MS	0	1198
11/06/97	CACT	NTC (AMENDED) OF MOT & MOT BY DEFT TECHNIBUILDERS	0	1198
11/06/97	CACT	IRON 2 DISMISS ACTION; MPA & DECL OF CAROL	0	1198
11/06/97	CACT	J. STAIR IN SUPRT THEREOF; POS (HRG 12-5-97)!	0	1198
11/07/97	CACT	MOT & NTC BY DEFT TECHNIBUILDERS IRON 2 DISMISS	1	1199
11/07/97	CACT	ACT;MEMO P&A IN SUPRT;DEC OF CAROL J STAIR IN	0	1199
11/07/97	CACT	SUPRT;POS;$14 PAID (HRG 12-29-97)! WKP	0	1199
11/10/97	CACT	ORD PRE TRIAL ORD #39 SIG BY JDG FORCUM 11-10-97! WKP	3	1202
11/13/97	CEVN	207 MANDATORY SETTLEMENT CONFERENCES (12/8/97)	3	1205
11/13/97	CACT	MOT DEFT B L COHEN LANDSCAPE NTC OF MOT/MOT 2 DISMISS	0	1205
11/13/97	CACT	ACTION; MEMO P&A; DECL OF SUSAN P GREY; PROPOSE	0	1205
11/13/97	CACT	ORD; POS; $14.00 PD - (HRG 1-6-98) UF	0	1205
11/13/97	CACT	FPD $182 BY SIERRA PRECAST,INC ON 1ST APPEAR! WKP	0	1205
11/13/97	CACT	MOT & NTC BY SIERRA PRECAST,INC 2 DISMISS ACT;MEMO	0	1205
11/13/97	CACT	P&A IN SUPRT;DEC OF MICHAEL P QUINLIVAN IN	0	1205
11/13/97	CACT	SUPRT;POS;$14 PAID (HRG 12-5-97)! WKP	0	1205
11/14/97	CACT	ORD PRE TRIAL ORD #40 ORD 2 APPEAR AT MEDIATION	1	1206
11/14/97	CACT	11-13 AND 11-14-97 SIG BY JDG FORCUM 11-12-97! N	0	1206
11/17/97	CACT	POS WILLIAM L NAGLE, THOMAS A MILLER, ETAL (SEE SRVC	3	1209
11/17/97	CACT	LIST) SRVD PRE-TRIAL ORD #37 ON 11/13/97 BY M U	0	1209
11/19/97	CACT	POS SEE SRVD LIST SRVD PRE TRIAL ORD NO 40	2	1211
11/19/97	CACT	11-17-97 BY M! WKP	0	1211
11/20/97	CEVN	MOT DEFT: TECHNIBUILDERS IRON'S MOTION TO DISMISS	1	1212
11/20/97	CEVN	MOT DEFT CARLOS RODRIGUEZ PAINTING'S MOTION TO DISMIS	0	1212
11/21/97	CACT	OPP BY PLTFS 2 DEFT TECHNIBUILDERS IRON'S MOT 2 DISMI	1	1213
11/21/97	CACT	ACTION W/POS - (HRG 12-29-97) UF	0	1213
11/25/97	CACT	MOT & NTC BY DEFT CARLOS RODRIGUEZ PAINTING 2	4	1217
11/25/97	CACT	DISMISS ACT PER CCP 583.420;MEMO P&A IN SUPRT;	0	1217
11/25/97	CACT	DEC OF JAMES F BLAKE IN SUPRT;POS;PROPOSED ORD;	0	1217
11/25/97	CACT	$14 PAID (HRG 1-12-98)! WKP	0	1217
11/25/97	CACT	AOC DONALD B FORNASIER ASSOCIATES DAVID S	0	1217
11/25/97	CACT	HENNINGSEN W/POS! WKP	0	1217
11/26/97	CACT	DSM ENT AS TO XCOM OF THE ANDEN GROUP, MIDEN CORP,	1	1218
11/26/97	CACT	ESDEN PARTNERS, MDG ASSOC., TMD CORP., &	0	1218
11/26/97	CACT	ESR CORP. AS AGAINST HANSON'S MASONRY ONLY	0	1218

11/26/97	CACT		W/PR[redacted] NMC	0	1218
12/01/97	CACT	ORD	PRE-TR[redacted]L ORDER NO.41,SGD BY JDG F[redacted]CUM 11-24-97!	5	1223
12/02/97	CACT	OPP	PLTF'S OPPOSITION TO MOTION TO DISMISS ACTION BY	1	1224
12/02/97	CACT		B.L. COHEN LANDSCAPE -W/POS M ! AD	0	1224
12/02/97	CACT	OPP	PLTF'S OPPOSITION TO MOTION TO DISMISS ACTION BY	0	1224
12/02/97	CACT		DEFT SIERRA PRECAST - W/POS M ! AD	0	1224
12/02/97	CACT	MPA	CORRECTED MEMO P&A IN SUPRT OF MOT 2 DISMISS	0	1224
12/02/97	CACT		THE CMPL & ALL DEEMED XCMS BY DEFT B.L. COHEN	0	1224
12/02/97	CACT		LANDSCAPE W/POS - (HRG 1-6-98) UF	0	1224
12/05/97	CEVN	MOT	DEFT TECHNIBUILDERS IRON'S MOTION TO DISMISS ACTI	3	1227
12/05/97	CEVN	MOT	DEFT SIERRA PRECAST,INC.'S MOTION TO DISMISS ACTI	0	1227
12/05/97	CACT	OPP	BY PLTF 2 MOT 2 DSM ACTION BY CARLOS RODRIGUEZ	0	1227
12/05/97	CACT		PAINTINGW/POS (HRG 1-12-98)! NM	0	1227
12/05/97	CACT	ANS	BY DEFT MELVIN LEE ASSOCIATES 2 2ND AMND CMPL UF	0	1227
12/05/97	CACT	ANS	OF DEFT RUTH & GOING, INC. 2 2ND AMND CMPL UF	0	1227
12/05/97	CACT	MIS	AMNDMNT 2 DEEMED ANS 2 DEEMED XCMS 4 RUTH &	0	1227
12/05/97	CACT		GOING INC UF	0	1227
12/05/97	CACT	MIS	AMNDMNT 2 DEEMED ANS 2 DEEMED XCMS 4 MELVIN	0	1227
12/05/97	CACT		LEE ASSOCIATES UF	0	1227
12/08/97	CEVN	TRI	/NOTICE PER PRE TRIAL ORDER; WM. NAGLE	3	1230
12/08/97	CACT	POS	WILLIAM L. NAGLE, ESG. (SEE SERVICE LIST)	0	1230
12/08/97	CACT		SRVD ON PRE-TRIAL ORD #41 BY M !RB	0	1230
12/09/97	CACT	MIS	ASSOC OF COUNSEL SUSAN P. GREY 4 DEF'S ATTY	1	1231
12/09/97	CACT		W/POS!MEF	0	1231
12/09/97	CACT	ORD	PRE-TRL #42 SGN JDG FORCUM 12/8/97!MG	0	1231
12/10/97	CACT	ORD	PRE-TRL #43 SGN JDG FORCUM 12/10/97!MG	1	1232
12/17/97	CACT	ROP	TO PLTF'S OPP TO MOT TO DISMISS OF DEFT B.L. COHE	7	1239
12/17/97	CACT		LANDSCAPE; DECL OF SUSAN P. GREY IN SUPRT;	0	1239
12/17/97	CACT		W/POS !RB	0	1239
12/17/97	CACT	ANS	BY SAN CARLOS SHEET METAL WORKS, INC'S 2 THE	0	1239
12/17/97	CACT		2ND AMND CMPL W/POS !MF	0	1239
12/18/97	CACT	DSM	AS TO DEF T&D TILE,ONLY W/OUT PREJ!MM	1	1240
12/19/97	CACT	DSM	ENT 12-26, DEF PENINSULA FLOORS,ONLY W/OUT PREJ!M	1	1241
12/22/97	CACT	REP	DEFT CARLOS RODRIGUEZ PAINTING REPLY BRIEF IN	3	1244
12/22/97	CACT		SUPRT OF ITS MOT 2 DISMISS ACTION ALONG W/2ND	0	1244
12/22/97	CACT		DECL OF JAMES F BLAKE; POS - (HRG 1-12-98) UF	0	1244
12/26/97	CACT	ORD	PRETRL ORD. 44 SGN JDG FORCUM 12/26/97!MG	4	1248
12/26/97	CACT	ORD	PRETRL ORD #45 SGN JDG FORCUM 12/26/97!MG	0	1248
12/26/97	CACT	ORD	PRETRL ORD #46 SGN JDG FORCUM 12/26/97!MG	0	1248
12/29/97	CEVN	MOT	DEFT TECHNIBUILDERS IRON'S MOTION TO DISMISS ACTI	3	1251
12/30/97	CACT	REP	BRIEF BY DEFT TECHINBUILDERS IRON	1	1252
12/30/97	CACT		(HRG 1/6/98) W/POS! SCA	0	1252
01/02/98	CACT	DSM	ENTD 1-5,AS TO DEF SIERRA PRECAST W/OUT PREJ!MM	3	1255
01/06/98	CEVN	MOT	DEFT B.L. COHEN LANDSCAPE MOTION TO DISMISS ACTIO	4	1259
01/06/98	CEVN	MOT	DEFT SIERRA PRECAST,INC.'S MOTION TO DISMISS ACTI	0	1259
01/06/98	CEVN	MOT	DEFT TECHNIBUILDERS IRON'S MOTION TO DISMISS ACTI	0	1259
01/06/98	CACT	DSM	ENTD 1-6,AS TO DEF M&H ELECTRIC,ONLY W/OUT PREJ!M	0	1259
01/08/98	CACT	NTC	OF ENTRY OF DSM & POS!MM	2	1261
01/08/98	CACT	DSM	ENTD 1-9,AS TO DEF HANSON'S MASONRY, ONLY W/OUT P	0	1261
01/12/98	CEVN	MOT	DEFT CARLOS RODRIGUEZ PAINTING'S MOTION TO DISMIS	4	1265
01/12/98	CACT	POS	PRE-TRI ORDS #43-46 1-8-98 BY M (SEE SERVICE	0	1265
01/12/98	CACT		LIST)! DR	0	1265
01/12/98	CACT	XCM	AMNDMT 2 DEEMED XCM 4 EXPRESS INDEMNITY,DECLARATO	0	1265
01/12/98	CACT		RELIEF & CONTRIBUTION W/POS!MEF	0	1265

01/12/98	CACT	ORD PRE-TR[redacted] ORDER #47-ORDER TO APPEA[redacted] AT MEDIATION	0	1265
01/12/98	CACT	JAN[redacted] & 16, 1998 - ORDER TO AP[redacted]R AT MEDIATIO	0	1265
01/12/98	CACT	SGN 1-9-98 BY JDG KOZLOSKI ! AD	0	1265
01/13/98	CACT	MOT DEFT SIERRA LUMBER & FENCE CO NTC OF MOT/MOT 4	1	1266
01/13/98	CACT	SJ ALONG W/SEPARATE STMT; MEMO P&A; DECL OF	0	1266
01/13/98	CACT	LYNN M DIRINGER; PROPOSED ORD; POS; FPD $100.00	0	1266
01/13/98	CACT	(HRG 2-13-98) UF	0	1266
01/13/98	CACT	NTC OF RULING W/POS!MM	0	1266
01/13/98	CACT	ORD PRETRIAL ORD RE PLTFS CLAIMS RELATED TO PAINTING	0	1266
01/13/98	CACT	SIG BY JDG KOZLOSKI 1-12-98! NM	0	1266
01/15/98	CACT	DSM RECEIVED! MS	2	1268
01/15/98	CACT	NTC OF ENTRY OF DSM/POS UF	0	1268
01/21/98	CACT	ANS BY DEFT GLORIA DEVELOPMENT CO. INC. & O'BRIEN & H	6	1274
01/21/98	CACT	INC. TO AMNDMT TO DEEMED XCM OF RUTH & GOING, I	0	1274
01/21/98	CACT	W/POS !RB	0	1274
01/21/98	CACT	POS THOMAS E MILLER SRVD NTC OF MOT & MOT 4 SJ BY	0	1274
01/21/98	CACT	DEFT SIERRA LUMBER & FENCE COMPANY; MEMO P&A	0	1274
01/21/98	CACT	IN SPRT; SEPARATE STMT OF UNDISPUTED FACTS;	0	1274
01/21/98	CACT	DEC OF LYNN M DIRINGER IN SPRT & PROP ORD	0	1274
01/21/98	CACT	GRANTING SJ IN FAVOR OF DEFT SIERRA LUMBER &	0	1274
01/21/98	CACT	FENCE COMPANY 1-15-98 BY M! DR	0	1274
01/21/98	CACT	POS ENDORSED-FILED COPY OF REQ 4 DSM, WITHOUT	0	1274
01/21/98	CACT	PREJUDICE, OF PLTFS COM AGAINST DEFT T & D	0	1274
01/21/98	CACT	TILE ONLY, FILED BY THE COURT 12-18-97;	0	1274
01/21/98	CACT	SRVD 1-19-98 BY M (SEE SERVICE LIST)! DR	0	1274
01/22/98	CACT	DEC OF BRUCE MAYFIELD IN SPRT OF PLTF'S OPP 2 MOT	1	1275
01/22/98	CACT	4 SUM JMT B/SIERRA LUMBER!MEF	0	1275
01/22/98	CACT	OPP PLTF'S OPP 2 MOT 4 SUM JMT B/DEF SIERRA LUMBER	0	1275
01/22/98	CACT	& FENCE;MPA W/POS (HRG 02-13-98)!MEF	0	1275
01/22/98	CACT	MIS SEPARATE STATEMENT IN OPP 2 MOT 4 SUM JMT!MEF	0	1275
01/22/98	CACT	NTC DEFT TECHNIBUILDERS IRON NTC OF APPEARANCE IN	0	1275
01/22/98	CACT	LIEU OF AN ANS W/POS !RB	0	1275
01/22/98	CACT	ORD PRE-TRIAL ORD #48 SIG BY JDG KOZLOSKI !AD	0	1275
01/26/98	CACT	POS PRE-TRI ORD #47 ORD TO APPEAR AT MEDIATION	4	1279
01/26/98	CACT	1-13&16-98 (ENDORSED-FILED 1-12-98) SRVD	0	1279
01/26/98	CACT	1-19-98 (SEE SERVICE LIST)! DR	0	1279
01/26/98	CACT	DSM ENTD 1-26, AS TO CMPL, AS TO DEFT CRISP CO.	0	1279
01/26/98	CACT	ONLY W/O PREJ! MS	0	1279
01/27/98	CACT	ANS BY DEFT CELL CRETE CORP. TO CMPL W/POS !RB	1	1280
01/27/98	CACT	FPD $185 PD BY CELL-CRETE CORPORATION !RB	0	1280
02/05/98	CACT	POS WILLIAM L NAGLE, THOMAS E MILLER, ETAL (SEE SRVC	9	1289
02/05/98	CACT	LIST) SRVD PRE-TRIAL ORD #48 ON 2/3/98 BY M !ME	0	1289
02/06/98	CACT	ROP DEFT SIERRA LUMBER & FENCE COMPANY'S ROP 2 MOT	1	1290
02/06/98	CACT	4 SJ (HRG 2-13-98) W/POS! DR	0	1290
02/11/98	CACT	ORD PRE-TRIAL ORDER NO. 50 -SGN 2-9-98 BY JDG KOZLOSK	5	1295
02/11/98	CACT	ORD PRE-TRIAL ORDER NO.49 -ORDER TO APPEAR AT MEDIATI	0	1295
02/11/98	CACT	JANUARY 29 & 30, 1998-SGN 2-9-98 BY JDG KOZLOSK	0	1295
02/13/98	CEVN	MOT DEFT SIERRA LUMBER & FENCE COMPANY MOTION FOR SUM	2	1297
02/20/98	CEVN	207 MANDATORY SETTLEMENT CONFERENCES (3/2/98)	7	1304
02/20/98	CACT	ORD PRE-TRIAL ORDER NO.52 -SGN 2-10-98 BY JDG KOZLOSK	0	1304
02/23/98	CACT	POS WILLIAM L. NAGLE, THOMAS A. MILLER, MARISA DAMICO	3	1307
02/23/98	CACT	ET AL (SEE SRVC LIST) SRVD PRE-TRIAL ORD #49	0	1307
02/23/98	CACT	& PRE-TRIAL ORD #50 ON 2/19/98 BY M UF	0	1307
02/25/98	CACT	ORD PRE-TRIAL ORD #51 (TD CONTINUED TO 5/26/98-	2	1309

02/25/98	CACT		MSC 4/98 @10AM) SIG BY JDG J.W. KOZLOSKI	0	130
02/25/98	CACT		2/ 98! SCA	0	130
03/02/98	CEVN	TRI	/PER CHRIS BRITTAN, WM. NAGLE, SHE WILL NOTICE	5	131
03/02/98	CACT	POS	PRE TRIAL ORDER #52 SRVD 2-25-98 BY M (SEE	0	131
03/02/98	CACT		SERVICE LIST)! NM	0	131
03/02/98	CACT	ORD	PERMITTING HRG ON MOTS 4 SJ & SA LESS THAN 30 DAY	0	131
03/02/98	CACT		BEFORE TRIAL (MOTS TO BE FILED/SRVD BY 3/16/98	0	131
03/02/98	CACT		& MOTS TO BE HEARD ON 4/13/98) SIG BY JDG	0	131
03/02/98	CACT		ROSEMARY PFEIFFER 2/24/98 ($23 FPD)! SCA	0	131
03/03/98	CACT	POS	"SEE LIST" SRVD PRE-TRIAL ORD #51 B/M ON 02-27-98	1	131
03/04/98	CACT	DSM	ENTD 3-4, AS TO CMPL, AS TO DEFT R.D.	1	131
03/04/98	CACT		MOORE CONSTRUCTION CO., INC. W/O PREJ! MS	0	131
03/04/98	CACT	ORD	PRE-TRIAL #53 - SIG BY JDG J.W. KOZLOSKI! SCA	0	131
03/09/98	CACT	POS	WILLIAM L. NAGLE, THOMAS A. MILLER, ETAL SRVD	5	132
03/09/98	CACT		PRE-TRIAL ORD #53 ON 3/5/98 BY M UF	0	132
03/16/98	CEVN	SET	SETTLEMENT CONFERENCE	7	132
03/16/98	CACT	ORD	PRE-TRIAL # 54 (MSC 3/16 & 3/17 AT 800 NO.	0	132
03/16/98	CACT		HUMBOLT) SIG BYB JDG JUDITH KOZLOSKI 3/10/98! S	0	132
03/17/98	CEVN	SET	/ASSIGNED TO WILLIAM NAGLE- TO BE HELD IN COURTRO	1	132
03/20/98	CACT	ORD	PRE TRIAL ORD #55 SIG BY JDG KOZLOSKI 3-17-98! NM	3	133
03/25/98	CACT	POS	WILLIAM L NAGLE, THOMAS A MILLER, ETAL (SEE SRVC	5	133
03/25/98	CACT		LIST) SRVD PRE-TRIAL ORD #54 ON 3/19/98 BY M UF	0	133
03/26/98	CACT	AOC	THE LAW FIRM OF ARCHER, MC COMAS, BRESLIN,	1	133
03/26/98	CACT		MC MAHON & CHRITTON IS HEREBY ASSOCIATED WITH	0	133
03/26/98	CACT		TIMOTHY FOGARTY OF THE LAW FIRM OF PANDELL &	0	133
03/26/98	CACT		BORSUK ON BEHALF OF DEFT CARLOS RODRIGUEZ	0	133
03/26/98	CACT		PAINTING W/POS! NMC	0	133
03/27/98	CACT	POS	"SEE SERVICE LIST" SRVD PRE-TRIAL ORD # 55	1	133
03/27/98	CACT		ON 3/25/98 BY M! SCA	0	133
04/15/98	CEVN	HEA	SETTLEMENT HEARING	19	135
04/23/98	CACT	DSM	ENTD 5-8, AS TO DEFT SACRAMENTO A-1 DOOR	8	136
04/23/98	CACT		ONLY W/O PREJ! MS	0	136
05/08/98	CACT	ORD	RE SETTLEMENT SIG BY JDG KOZLOSKI 5-7-98! FM	15	138
05/14/98	CEVN	207	MANDATORY SETTLEMENT CONFERENCES (5/26/98)	6	138
05/15/98	CACT	ORD	PRE-TRIAL #57 SGD JDG KOZLOSKI 5-14-98 MS	1	138
05/15/98	CACT	ORD	PRE-TRIAL #56 SGD JDG KOZLOSKI 5-14-98 MS	0	138
05/18/98	CACT	NTC	OF ENTRY OF DISMISSAL & POS! SEA	3	139
05/19/98	CACT	NTC	BY PLTF OF VACATION; OF 5-14-98 MANDATORY	1	139
05/19/98	CACT		SET CONF; & SETTING OF STATUS REVIEW HRG	0	139
05/19/98	CACT		W/POS! DR	0	139
05/21/98	CACT	POS	(SEE SERV LIST)SVD COPIES OF PRE-TRIAL ORDER	2	139
05/21/98	CACT		NO.56 & 57 - W/POS M ! AD	0	139
05/26/98	CEVN	TRI	/PER CHRIS BRITTAN, WM. NAGLE, SHE WILL NOTICE	5	139
06/09/98	CACT	POS	(SEE SERV LIST)SVD COPIES OF ORD RE SETTLEMENT	14	141
06/09/98	CACT		ON 6-5-98 W/POS M ! AD	0	141
06/18/98	CACT	ORD	AMNDMT 2 ORD RE SETTLEMENT SIG BY JDG KOZLOSKI	9	142
06/18/98	CACT		6-18-98! DR	0	142
06/23/98	CACT	POS	WILLIAM L NAGLE, ET AL (SEE SRVC LIST) SRVD	5	142
06/23/98	CACT		AMNDMNT 2 ORD RE SETTLEMENT 6/19/98 BY M !AD	0	142
07/01/98	CACT	ORD	AMENDEMENT 2 ORD RE: SETTLEMENT BY KOZLOSKI 6-22-	8	143
07/20/98	CACT	MOT	ANDEN GROUP'S MOT RE DETERMINE GOOD FAITH	19	145
07/20/98	CACT		SETTLEMENT, MEMO OF P & A AND DEC !TP	0	145
07/20/98	CACT	FPD	23.00 FOR MOTION BY ANDEN GROUP TO BE HEARD	0	145
07/20/98	CACT		8-31-98!TP	0	145

07/28/98	CACT	DSM	COM AS[illegible] SIERRA LUMBER ONLY 8-7-98 W/PREJ! NM	8	1462
07/29/98	CEVN	MOT	JOINT [illegible]TION FOR GOOD FAITH SETTL[illegible]NT	1	1463
07/31/98	CACT	ORD	PRE-TRIAL ORD #58 SIG BY JDG KOZLOSKI 7-29-98!FM	2	1465
08/06/98	CACT	POS	PRE-TRIAL ORDER NO 58 SRVS BY M 8-3-98:	6	1471
08/06/98	CACT		SEE ATTACHED SERVICE LIST !TP	0	1471
08/07/98	CEVN	CMC	STATUS REVIEW/CASE MANAGEMENT CONF	1	1472
08/07/98	CACT	DSM	REQUEST RECEIVED! SEA	0	1472
08/07/98	CACT		W/PREJ! SEA	0	1472
08/10/98	CACT	NTC	OF PENDING SUBSTITUTION OF COUNSEL W/POS! SEA	3	1475
08/10/98	CACT	MOT	RUTH & GOING, INC'S AND MELVIN LEE ASSOC JOINDER	0	1475
08/10/98	CACT		WITH ANDEN'S MOTION FOR DETERMINATION OF	0	1475
08/10/98	CACT		GOOD FAITH SETTLEMENT TO BE HEARD 8-31-98 !TP	0	1475
08/11/98	CACT	DSM	OF DEEMED & ACTUAL XCMPLS OF O'BRIEN & HICKS, ET	1	1476
08/26/98	CACT	NTC	OF ENTRY OF DISMISSAL & POS! SEA	15	1491
08/31/98	CEVN	MOT	DE/XCM ANDEN GROUP'S NOT OF MOT AND MOT FOR DETER	5	1496
08/31/98	CEVN	MOT	DEFT/XDEFT RUTH & GOING, INC.'S AND MELVIN LEE AS	0	1496
09/23/98	CACT	DSM	REQ RCVD! DR	23	1519
09/23/98	CACT	DSM	ENTERED FOR XCM BY O'BRIEN & HICKS AS TO ANY &	0	1519
09/23/98	CACT		ALL CLAIMS AGAINST CARLOS RODRIGUEZ PAINTING	0	1519
09/23/98	CACT		ONLY W/PREJ! DR	0	1519
10/02/98	CACT	DSM	RCVD! DR	9	1528
10/07/98	CACT	DSM	RCVD! DR	5	1533
10/07/98	CACT	DSM	RCVD! DR	0	1533
10/09/98	CACT	DSM	ENTERED FOR XCM BY O'BRIEN & HICKS W/PREJ! DR	2	1535
10/14/98	CACT	DSM	NOT ENTERED FOR XCM AS TO ONLY FISK, FIRENZE	5	1540
10/14/98	CACT		FISK, FIRENZE & MCLEAN AS ENTIRE XCM WAS	0	1540
10/14/98	CACT		DISMISSED 10-9-98! DR	0	1540
10/14/98	CACT	DSM	NOT ENTERED 4 XCM BY O'BRIEN & HICKS AS TO ONLY	0	1540
10/14/98	CACT		DANIEL SMITH PLASTERING AS ENTIRE XCM WAS	0	1540
10/14/98	CACT		DISMISSED 10-9-98! DR	0	1540
02/08/99	CACT	COA	NOTICE OF COA FOR ATTY DFT THE ANDEN GROUP	117	1657
02/08/99	CACT		A CALIF. GENERAL PARTN. FAX# 510-596-0899 W/POS!	0	1657
02/22/99	CACT	ORD	2 SHOW CAUSE SET FOR 3-25-99 SIG JDG ELLIS 2-17-	14	1671
02/24/99	CACT	NTC	OF ENTRY OF DISMISSAL & POS!DS	2	1673
02/25/99	CACT	POS	SEE LIST OF ALL PARTIES SRV OST 2-22-99 BY M !RG*	1	1674
03/18/99	CACT	RSP	DANIEL SMITH PLASTERING'S BRIEF IN RESP TO	21	1695
03/18/99	CACT		OSC; DEC OF MICHAEL D BRUNO W/POS	0	1695
03/18/99	CACT		(HRG 3-25-99)! DR	0	1695
03/18/99	CACT	RSP	FISK, FIRENZE & MCLEAN'S BRIEF IN RESP TO OSC;	0	1695
03/18/99	CACT		DEC OF MICHAEL D BRUNO W/POS (HRG 3-25-99)!DR	0	1695
03/19/99	CACT	RSP	TO OSC; DEC OF GERALD E. BRUNN !TP	1	1696
03/19/99	CACT	ORD	CMC & ORDER TO SHOW CAUSE HEARING W/CERT OF	0	1696
03/19/99	CACT		MAILING!DS	0	1696
03/23/99	CACT	OSC	SIG BY JDG ELLIS 3-23-99 CON 3-25-99 OSC TO	4	1700
03/23/99	CACT		4-14-99! NM*	0	1700
03/23/99	CACT	OSC	RE SPECL MSTR FEES CONT TO 4-14-99 SIG BY JDG	0	1700
03/23/99	CACT		ELLIS 3-23-99! NM*	0	1700
03/25/99	CEVN	SOR	ORDER TO SHOW CAUSE RE: SPECIAL MASTER'S BILL - (	2	1702
03/31/99	CACT	DEC	OF ANTHONY J. DEMARIA IN RESPONSE TO OSC !TP	6	1708
03/31/99	CACT	POS	ALL PARTIES SRVS BY M: ORDER TO SHOW CAUSE !TP	0	1708
03/31/99	CACT	POS	S. MITCHELL KAPLAN ON 3-24-99 BY M:ORDER	0	1708
03/31/99	CACT		TO SHOW CASE RE:SPECIAL MASTER FEES !TP	0	1708
04/09/99	CACT	MIS	DEFTS/XDEFTS RUTH & GOING INC AND MELVIN LEE	9	1717
04/09/99	CACT		ASSOCIATES OSC STATMENT W/POS (HRG 4-14-99) !RG	0	1717

04/12/99	CACT	DEC OF JOHN [redacted]. CARNIATO RE: OSC (HRG 4-14-99)! AC	3	1720
04/13/99	CACT	MIS PLTF E[redacted]EWATER ISLE NORTH HOMEOWNE[redacted] ASSOC'S	1	1721
04/13/99	CACT	OSC STMT & NTC OF LODGEMENT OF SIGNATURE	0	1721
04/13/99	CACT	PAGES 2 GLOBAL SETTLEMENT AGREEMENT (HRG	0	1721
04/13/99	CACT	4-14-99)! AC	0	1721
04/14/99	CEVN	SOR ORDER TO SHOW CAUSE RE: SPECIAL MASTER'S BILL - (	1	1722
04/14/99	CEVN	SOR ORDER TO SHOW CAUSE RE WHY PARTIES HAVE NOT SIGNE	0	1722
07/13/99	CACT	DSM ENTERED 7-13-99 4 COM AS TO DANIEL SMITH	90	1812
07/13/99	CACT	PLASTERING & FISKE,FIRENZE & MCLEAN ONLY	0	1812
07/13/99	CACT	W/PREJ! VL	0	1812
07/16/99	CACT	DSM ENTERED 7-19-99 4 THE XCM FILED 8-25-95 BY	3	1815
07/16/99	CACT	THE ANDEN GROUP,ET AL W/PREJ! VL	0	1815
09/23/99	CEVN	HEA DISMISSAL HEARING	69	1884

In and for the Superior and Municipal Courts of California
County of San Mateo

Judge: H. James Ellis	Dept.: 12	Clerk: Karen Brake
Case Number: 388872		Court Reporter: Donna Heuman

Date: Sept. 23 1999

(Title of Action)	(Appearances)
Edgewater Isle Homeowners Assoc., et. al.,	n/a
vs.	
The Anden Group	n/a

Nature of Proceedings: Dismissal Hearing

No appearances made by or on behalf of the parties. No notice of hearing on file. Matter dropped from calendar.

FILE PREPARATION LOG
CMC / SET TRI

CASE NAME: Edgewater Isle Homeowners Assoc vs. Anden Group

CASE # 388872 HRG DATE SEP 2 3 1999 DEPT 12

✓ FILE IN CHRONOLOGICAL ORDER

N/D NOTICE OF HEARING ON FILE

____ MINUTE FORM SUBMITTED WITH FILE

✓ FILE CHECKED FOR MISFILINGS

____ DOCUMENTS MISSING

____ NOTICE OF STAY OF ACTION

✓ DISMISSALS

See attached

FILE VERIFIED BY UNA FINAU DATE SEP 2 2 1999

CPRN X
CAS 0388872 00 TI EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP,

..	.....PRINCIPAL.....	..	...S-ID.
01	EDGEWATER ISLE HOMEOWNERS ASSO	PL	
02	EDGEWATER ISLE	PL	
03	ANDEN GROUP	DE	
04	;THOMAS E. MILLER	AT	PL
05	MIDEN CORPORATION	DE	
06	;JOHN J. CARNIATO	AT	DE
07	GLORIA DEVELOPMENT CO INC	XC	
08	THE ANDEN GROUP	XD	
09	ESDEN PARTNERS	XD	
10	MDG ASSOCIATES	XD	
11	ESR CORPORATION	XD	
12	TMD CORPORATION	XD	
13	;THOMAS HARAN	AT	XD
14	;KAREN WENTZEL	AT	DE
15	;ROBERT W. CULLEN (ASSOCIATED)	AT	07
16	;ALBERT P. BLAKE, JR.	AT	XD
17	BIJAN AND FLORIAN ASSOC INC	XD	
18	VOLPE ENGI E INC	XD	
19	EDWARD L PACK ASSOCIATES	XD	
CONT	****CONTINUATION TO MORE PRINCIPALS ON FI		
	PACIFIC ENGINEERING	XD	
	EDWARD L PACK ASSOCIATES		
20	PACIFIC ENGINEERING	XD	
~~21~~	~~SACRAMENTO A ONE DOOR~~	~~XD~~	
22	;KEVIN J, TULLY, ESQ.	AT	XD
~~23~~	~~T AND D TILE~~	~~XD~~	
24	;ARA SHIRINIAN, ESQ.	AT	XD
25	;RAND L. CHRITTON	AT	XD
26	;HELEN B. BAUMANN	AT	DE
27	;ANTHONY J. DEMARIA, ESQ.	AT	XD
28	;KEVIN J. TULLY, ESQ.	AT	XD
29	;JONATHAN MARGOLIS	AT	XD
30	MISSION DRYWALL OF SAN JOSE	XD	
31	;DONALD L. SULLIVAN, ESQ.	AT	XD
32	;JOSEPH H. HUBER	AT	XD
~~33~~	~~CROWLEY COMPANY~~	~~XD~~	
34	;NANCY MCPHERSON	AT	XD
35	;HOWARD L. CHURCHILL, ESQ.	AT	XD
36	;F. ROSS ADKINS	AT	DE
37	;JEFF PACCASSI (ASSOCIATE)	AT	23
38	HANSON MASONRY INC	XD	
39	;BETH S. FREEDMAN	AT	XD
40	RUTH AND GOING INC	DE	
~~41~~	~~SOIL FOUNDATION SYSTEMS~~	~~DE~~	
42	MELVIN LEE AND ASSOCIATES	DE	
~~43~~	~~C APARICIO CEMENT CONTRACTOR~~	~~DE~~	
44	FISK,FIRENZE AND MC LEAN	DE	
~~45~~	~~SIERRA LUMBER~~	~~DE~~	
46	GONSALVES AND SANTUCCI INC	DE	
47	MISSION DRYWALL OF SAN JOSE	DE	
48	SILVA FENCE COMPANY	DE	
49	SAN CARLOS SHEETMETAL WORKS	DE	
50	ALCAL ROOFING AND INSULATION	DE	
~~51~~	~~DANIEL SMITH PLASTERING INC~~	~~DE~~	
52	TARA COATINGS	DE	
53	;CHESTER G. MOORE, III, ESQ.	AT	DE
54	;JOSEPH H. HUBER	AT	XD
* 55	CORBIN YAMAFUJI AND PARTNERS	DE	
56	CYP INC	DE	
57	WOODCRAFT CABINETS	DE	

Remaining Defts

CPRN X
CAS 0388872 00 TI EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP,

..	.....PRINCIPAL.....	..	...S-ID.
58	NORTH EMPIRE CONSTRUCTION	DE	
59	CONCO CEMENT COMPANY	DE	
60	T AND D TILE	DE	
61	CROWN PLASTICS	DE	
62	SACRAMENTO A ONE DOOR	DE	
63	ACME INDUSTRIES	DE	
64	ASSOCIATED LIGHTING FIXTURE CO	DE	
65	M AND H ELECTRIC	DE	
66	HARRIS FENCE	DE	
67	BORCHERS BROS	DE	
68	PENINSULA FLOORS	DE	
69	BENNETT FLOORS	DE	
70	FRAMES WORK CONNECTION	DE	
71	CERTIFIED PRODUCTS	DE	
72	B L COHEN LANDSCAPE INC	DE	
73	HANSONS MASONRY	DE	
74	TECHNIBUILDERS IRON INC	DE	
75	CARLOS RODRIGUEZ PAINTING	DE	
76	CROWLEY PLUMBING	DE	
77	ASH ROOFING	DE	
78	A J SULLIVAN COMPANY	DE	
79	CELL CRETE	DE	
80	MJR CONSULTING ENGINEERS	DE	
81	EDWARD L PACK ASSOC INC	DE	
82	TJKM	DE	
83	PACIFIC ENGINEERING	DE	
84	PIOMBO FISK FIRENZE MCLEAN	DE	
85	CHRISP COMPANY	DE	
86	R D MOORE CONSTRUCTION CO	DE	
87	SIERRA PRECAST	DE	
88	HOWARD ELECTRIC	DE	
89	CONTINENTAL POOLS	DE	
90	MJB PIPELINE	DE	
91	PACIFIC LINING COMPANY INC	DE	
92	;J. MICHAEL HIGGINBOTHAM, ESQ.	AT	DE
93	;MICHAEL K. BRISBIN, ESQ.	AT	XD
94	CARLOS RODRIQUEZ PAINTING	DE	
95	;JEFFERY L. BORSUK	AT	94

CONT ***CONTINUATION*** 100 MORE PRINCIPALS ON FILE .02

** CASE HISTORY **

CASE TITLE

000388872 EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP,

NATURE OF CASE OTHER CIVIL COMPLAINTS

DEFENDANT CARLOS RODRIQUEZ PAINTING ATTORNEY DAVID L. BRAULT
PLAINTIFF EDGEWATER ISLE ATTORNEY THOMAS E. MILLER

DATE	FILE	EVT	EVENT DESCRIPTION	AGE	TOTAL
07/27/94			FILE DATE	0	0
07/27/94	CACT	COM	4 NEGLIGENCE, ETC. BY PLTF W/SUM ISS !UF	0	0
07/27/94	CACT	FPD	$182.00 ON CMPL BY PLTF !UF	0	0
09/19/94	CACT	COM	1ST AMND CMPL BY PLTF - W/NO SUM ISS !UF	54	54
09/19/94	CACT	NTC	OF UNDOCUMENTED ACTION OF SUMS ISSUED ON 1ST	0	54
09/19/94	CACT		AMNDED COMPL!UL	0	54
10/11/94	CACT	COM	2ND AMND CMPL BY PLTF - W/SUM ISS !UF	22	76
11/16/94	CACT	STP	& ORD SIG BY JDG SERVERIAN W/FPD $14.00 !UF	36	112
11/16/94	CACT	FPD	$546.00 BY O'BRIEN & HICKS, INC., O'BRIEN &	0	112
11/16/94	CACT		HICKS 1988 & BEYOND, LTD. AND GLORIA DEVEL CO	0	112
11/16/94	CACT		INC. (1ST APPEARANCE FEES) !UF	0	112
12/07/94	CACT	ORD	PRE-TRIAL ORD #1 SIG BY JDG SERVERIAN !UF	21	133
12/12/94	CACT	POS	WILLIAM L NAGLE, TOM FIER, ANTHONY B VARNI SRVD	5	138
12/12/94	CACT		PRE-TRIAL ORD #1 (ENDORSED-FILED 12/7/94) 12/7/9	0	138
12/12/94	CACT		BY M! CAG	0	138
12/21/94	CEVN	CMC	CASE MANAGEMENT CONFERENCE	9	147
02/17/95	CACT	ORD	PRE-TRIAL ORD NO. 2 BY WILLIAM L. NAGLE, ESQ.	58	205
02/17/95	CACT		SPECIAL MASTER SIG BY JDG HAHN ON 2-17-95!UL	0	205
02/27/95	CACT	POS	WILLIAM L NAGLE, TOM FIER, ANTHONY B VARNI SRVD	10	215
02/27/95	CACT		PRE-TRIAL ORD #2 (ENDORSED-FILED 2/17/95)	0	215
02/27/95	CACT		2/22/95 BY M! CAG	0	215
03/03/95	CACT	ORD	PRE-TRIAL ORD #3 SIG BY JDG HARRINGTON !UF	4	219
03/07/95	CACT	POS	WILLIAM L NAGLE, TOM FIER, ANTHONY B VARNI SRVD	4	223
03/07/95	CACT		PRE-TRIAL ORD #3 (ENDORSED-FILED 3/3/95) 3/3/95	0	223
03/07/95	CACT		BY M! CAG	0	223
04/11/95	CACT	SOA	BY PLNTF;MICHAEL B ALLEN INSTD OF TOM FIER ! CK	35	258
04/18/95	CACT	POS	WILLIAM NAGLE, ALAN H FINKEL, ANTHONY B VARNI,	7	265
04/18/95	CACT		FIRST STATE MANAGEMENT GROUP, CHUBB CUSTOM MKT,	0	265
04/18/95	CACT		JIM DUNN, GLOBAL SPECIAL RISKS INC, DEBBIE	0	265
04/18/95	CACT		PRICE, MICHAEL ZEA SRVD SOA 4/13/95 BY M! CAG	0	265
05/12/95	CACT	ORD	PRE-TRIAL ORD NO 4 SIG BY JDG HARRINGTON ! CK	24	289
05/17/95	CACT	POS	WILLIAM L NAGLE, MICHAEL B ALLEN, ANTHONY B VARNI	5	294
05/17/95	CACT		DAVID STRONG SRVD PRE-TRIAL ORD #4 (ENDORSED-	0	294
05/17/95	CACT		FILED 5/12/95) 5/15/95 BY M! CAG	0	294
06/28/95	CACT	ORD	PRE-TRIAL NO. 5 SGD JDG HAHN 6-28-95! MS	42	336
07/03/95	CACT	POS	WILLIAM NAGLE, MICHAEL ALLEN, ANTHONY VARNI,	5	341
07/03/95	CACT		DAVID STRONG SRVD PRE-TRIAL ORD #5 6/29/95 BY M	0	341
07/10/95	CACT	ANS	TO 2ND AMND COMPL BY DEFTS GLORIA DEVELOPMENT CO.	7	348
07/10/95	CACT		INC.; O'BRIEN & HICKS, INC.; AND O'BRIAN &	0	348
07/10/95	CACT		HICKS(S) 1988 & BEYOND, LTD. W/POS!UL	0	348
07/10/95	CACT	XCM	OF GLORIA DEVELOPMENT CO., INC. AND O'BRIEN &	0	348

07/10/95	CACT		HICKS, INC., A CALIF CORPS.; VS. THE ANDEN	0	348
07/10/95	CACT		GROUP, A GENERAL PARTNERSHIP, ESDEN PARTNERS, A	0	348
07/10/95	CACT		CALIF LTD PARTNERSHIP, AN ROES 1 - 15, INCLUSIV	0	348
07/10/95	CACT		W/POS & W/NO SUMS ISS!UL	0	348
07/11/95	CACT	SUM	ISS ON XCM OF GLORIA DEVEL CO INC VS. THE	1	349
07/11/95	CACT		ANDEN GROUP, ETAL - NTC OF UNDOCUMENTED	0	349
07/11/95	CACT		ACTION !UF	0	349
07/14/95	CACT	ORD	PRE-TRIAL ORD NO 6 SIG BY JDG HARRINGTON ! CK	3	352
07/18/95	CACT	ORD	AMENDED PRE-TRIAL ORD NO. 6 BY SPECIAL MASTER	4	356
07/18/95	CACT		WILLIAM L. NAGLE SIG BY JDG HARRINGTON ON	0	356
07/18/95	CACT		7-18-95!UL	0	356
07/18/95	CACT	POS	WILLIAM NAGLE, MICHAEL ALLEN, THOMAS HARAN,	0	356
07/18/95	CACT		ANTHONY VARNI & DAVID STRONG SRVD PRE-TRIAL	0	356
07/18/95	CACT		ORD #6 ON 7/14/95 BY M! SCA	0	356
07/21/95	CACT	POS	WILLIAM L NAGLE, MICHAEL B ALLEN, THOMAS O HARAN,	3	359
07/21/95	CACT		ANTHONY B VARNI, DAVID STRONG SRVD AMND PRE-TRIA	0	359
07/21/95	CACT		ORD #6 (ENDORSED-FILED 7/18/95) 7/19/95 BY M! CA	0	359
08/25/95	CACT	ANS	BY XDEFTS THE ANDEN GROUP, ESDEN PARTNERS, MDG	35	394
08/25/95	CACT		ASSOCIATES LTD, ESR CORPORATION, TMD CORPORATIO	0	394
08/25/95	CACT		& MIDEN CORPORATION TO XCM OF GLORIEA DEVELOP	0	394
08/25/95	CACT		& O'BRIEN & HICKS! SCA	0	394
08/25/95	CACT	FPD	$1092 BY XDEFTS THE ANDEN GROUP, ESDEN PARTNERS,	0	394
08/25/95	CACT		MDG ASSOCIATES LTD, ESR CORP, TMD CORP & MIDEN	0	394
08/25/95	CACT		CORP ON ANS! SCA	0	394
08/25/95	CACT	ANS	BY XDEFTS: THE ANDEN GROUP; ESDEN PARTNERS; MDG	0	394
08/25/95	CACT		ASSOC LTD; ESR CORPORATION; TMD CORP & MIDEN CO	0	394
08/25/95	CACT		TO XCM OF GLORIEA DEVEL CO INC! GH	0	394
08/25/95	CACT	FPD	$1092 BY XDEFTS: THE ANDEN GROUP; ESDEN PARTNERS;	0	394
08/25/95	CACT		ASSOC LTD; ESR CORP; TMD CORP & MIDEN CORP! GH	0	394
08/25/95	CACT	ANS	BY XDEFTS: THE ANDEN GROUP; ESDEN PARTNERS; MDG A	0	394
08/25/95	CACT		ESR CORP; TMD CORP & MIDEN CORP TO 2ND AMENDED	0	394
08/25/95	CACT		COMPLAINT ! GH	0	394
~~08/25/95~~	~~CACT~~		~~XCM OF THE ANDEN GROUP VS CORBIN/YAMAFUJI PARTNERS,~~	0	394
08/25/95	CACT		~~ET AL; NO SUMM ISSUED! GH~~	0	394
08/28/95	CACT	ANS	AMND ANS TO XCM OF GLORIA DEVELOPMENT CO INC	3	397
08/28/95	CACT		& O'BRIEN & HICKS INC FOR IMPLIED EQUITABLE	0	397
08/28/95	CACT		IND, ETC BY THE ANDEN GROUP, ESDEN PARTNERS,	0	397
08/28/95	CACT		MDG ASSOCIATES LTD, ESR CORP, TMD CORP &	0	397
08/28/95	CACT		MIDEN CORP! SCA	0	397
08/28/95	CACT	FPD	OF $1092 BY DEFTS ANDEN, ESDEN, MDG, ESR, TMD	0	397
08/28/95	CACT		& MIDEN TO BE REFUNDED AS IT WAS PD TWICE ON	0	397
08/28/95	CACT		8/25/95! SCA	0	397
09/19/95	CACT	SUM	ORIG ISS ON XCM OF ANDEN GROUP! NM	22	419
09/22/95	CACT	ORD	SPECIAL MASTER PRE-TRIAL ORD #7 SIG BY JDG	3	422
09/22/95	CACT		HARRINGTON, JR ON 9/22/95 !UF	0	422
09/27/95	CACT	POS	PRE TRI ORD #7 SRVD 9-25-95 BY M (SEE SVC LIST)!	5	427
10/04/95	CACT	MIS	ATTY'S 1ST CERTIFICATE (C.C.P. 411.35) W/POS BY	7	434
10/04/95	CACT		DEFT THE ANDEN GROUP!UL	0	434
10/12/95	CACT	DEM	BY XDEFT SOIL FOUNDATION SYSTEMS TO XCM OF ANDEN	8	442
10/12/95	CACT		GRP;MEMO OF P&A IN SPRT OF DEM; POS BY M. CK	0	442
10/12/95	CACT	FPD	&182.00 PD BY XDEFT SOIL FOUNDATIONS SYSTEMS !	0	442
10/16/95	CACT	AOC	OF HOGE FENTON JONES & APPEL INC! NM	4	446
10/17/95	CACT	SOA	JOHN J CARNIATO INSTEAD OF VARNI, FRASER, ETAL! N	1	447
10/25/95	CACT	ANS	BY TARA COATINGS, INC. TO XCM OF ADEN GROUP W/POS	8	455

10/25/95	CACT	FPD	$182.00 BY TARA COATINGS INC. ON ANS TO XCM!UL	0	455
10/25/95	CACT	ORD	AMENDMENT 2 XCM (DESIGNATING ROE XDEFTS)	0	455
10/25/95	CACT		& ORD SIG BY JDG HARRINGTON, JR !UF	0	455
10/25/95	CACT	FPD	$14.00 ON ORD !UF	0	455
10/27/95	CACT	FPD	182.00 BY SACRAMENTO A-1 DOOR!MM	2	457
10/27/95	CACT	NTC	OF APP BY XDEF SACRAMENTO A-1 DOOR W/POS!MM	0	457
10/27/95	CACT	NTC	OF APP BY XDEF T & D TILE W/POS!MM	0	457
10/27/95	CACT	FPD	182.00 BY T & D TILE!MM	0	457
10/27/95	CACT	FPD	$182.00 BY XDEFT. C. APARICIO CEMENT CONTRACTOR!U	0	457
10/27/95	CACT	ANS	XDEFT. C. APARICIO CEMENT CONTRACTOR NTC OF	0	457
10/27/95	CACT		APPEARANCE IN LIEU OF ANS W/POS !UF	0	457
10/30/95	CACT	NTC	OF APP BY DEFT SAN CARLOS SHEET METAL WORKS, INC.	3	460
10/30/95	CACT		W/POS !RB	0	460
10/30/95	CACT	FPD	$182 PD BY DEFT SAN CARLOS SHEET METAL WORKS, INC	0	460
10/31/95	CACT	FPD	182.00 BY GONSALVES & SANTUCCI, INC. DBA CONCO	1	461
10/31/95	CACT		CEMENT COMPANY!MM	0	461
10/31/95	CACT	ANS	BY GONSALVES & SANTUCCI, INC. DBA CONCO CEMENT	0	461
10/31/95	CACT		CO. 2 XCM OF THE ANDEN GROUP W/POS!MM	0	461
10/31/95	CACT	FPD	182.00 BY NORTH EMPIRE CONSTRUCTION!MM	0	461
10/31/95	CACT	NTC	OF APPEARANCE BY XDEF NORTH EMPIRE CONSTRUCTION!M	0	461
10/31/95	CACT	OPP	DEFT/XCM THE ANDEN GROUP'S OPP TO DEM OF XDEFT	0	461
10/31/95	CACT		SOIL FOUNDATION SYSTEMS; ALONG W/DECL OF MARISA	0	461
10/31/95	CACT		L. D'AMICO W/POS {HRG 11-6-95} "RED STAMP"	0	461
10/31/95	CACT		(1 DAY LATE)!UL	0	461
11/01/95	CACT	FPD	182.00 BY XDEF ALCAL ROOFING & INSULATION!MM	1	462
11/01/95	CACT	NTC	OF APP BY XDEF ALCAL ROOFING & INSULATION W/POS!M	0	462
11/03/95	CACT	FPD	$14 FOR CONTINUANCE OF DEM! MS	2	464
11/06/95	CEVN	HEA	XDEFT SOIL FOUNDATION SYSTEMS HEARING ON DEMURRER	3	467
11/14/95	CACT	FPD	182.00 BY XDEF MISSION DRYWALL OF SAN JOSE!MM	8	475
11/14/95	CACT	NTC	OF APP BY MISSION DRYWALL OF SAN JOSE IN LIEU	0	475
11/14/95	CACT		OF ANS W/POS!MM	0	475
11/15/95	CACT	FPD	BY CROWLEY COMPANY!MM	1	476
11/15/95	CACT	NTC	OF APP OF XDEF CROWLEY COMPANY (SUED AS CROWLEY	0	476
11/15/95	CACT		PLUMBING) W/POS!MM	0	476
11/20/95	CEVN	HEA	XDEFT SOIL FOUNDATION SYSTEMS HEARING ON DEMURRER	5	481
11/21/95	CACT	MIS	ASSOC OF COUNSEL BY NANCY MCPHERSON W/TULLY FOR	1	482
11/21/95	CACT		XDEFT! SCA	0	482
11/21/95	CACT	ORD	PRE-TRIAL ORD #8 SIG BY JDG HARRINGTON !UF	0	482
11/28/95	CACT	POS	PRE TRI ORD #8 SRVD 11-22-95 BY M (SEE SVC LIST)!	7	489
12/26/95	CACT	FPD	182.00 BY SIERRA LUMBER & FENCE CO., INC.!MM	28	517
12/26/95	CACT	ANS	BY SIERRA LUMBER & FENCE CO., INC. 2 XCM OF THE	0	517
12/26/95	CACT		ANDEN GROUP W/POS!MM	0	517
01/19/96	CACT	AOA	LAW OFFICES OF OWEN & MELBYE HAS ASSOCIATED	24	541
01/19/96	CACT		NORMAN LA FORCE, ESQ. OF THE OFFICES OF	0	541
01/19/96	CACT		F. ROSS ADKINS IN THER ABOVE ENTITLED ACTION!UL	0	541
01/29/96	CACT	ORD	PRE-TRIAL ORD #9 SIG BY JDG HARRINGTON ON	10	551
01/29/96	CACT		1-26-96 !UF	0	551
02/01/96	CACT	POS	PRE TRI ORD #9 SRVD 1-30-96 BY M (SEE SVC LIST)!	3	554
02/01/96	CACT	ORD	PRE-TRIAL ORD #10 SIG BY JDG HARRINGTON !RB	0	554
02/06/96	CACT	POS	WILLIAM L. NAGLE, ETC. SEE ATTACHED LIST SRVD ON	5	559
02/06/96	CACT		PRE-TRIAL ORD #10 ON 2/2/96 BY M (SPECIAL MASTE	0	559
03/07/96	CACT	ORD	PRE-TRIAL ORD NO 11 SIG BY JDG HAHN ! CK	30	589
03/11/96	CACT	NTC	OF APPEARANCE OF ASSOCIATED COUNSEL ON BEHALF OF	4	593
03/11/96	CACT		T & D TILE CO., INC. W/POS! MS	0	593

03/11/96	CACT	NTC	OF ASSOCIATION OF COUNSEL W/POS! MS	0	593
03/12/96	CACT	POS	WILLIAM L. NAGLE, ESQ. SEE ATTACHED LIST SRVD ON	1	594
03/12/96	CACT		PRE-TRIAL ORD #11 ON 3/8/96 BY M !RB	0	594
04/05/96	CACT	DSM	ENT XCM ONLY AS TO C. APARICIO CEMENT CONTRACTOR	24	618
04/05/96	CACT		(THE ANDEN GROUP XCM) !RB	0	618
04/08/96	CACT	DSM	AS TO ASH ROOFING & DANIEL SMITH PLASTERING!MM	3	621
04/16/96	CACT	DEC	OF SERVICE BY MAIL SRVD PRE-TRIAL ORDER NO.12	8	629
04/16/96	CACT		(SEE SERVICE LIST) ON 4-12-96!DD	0	629
04/26/96	CACT	ORD	PRE-TRIAL ORD #13 SIG BY JDG FORCUM ON 4/26/96!UF	10	639
04/30/96	CACT	ORD	PRE-TRIAL ORD NO. 13 RE SPECIAL APPEARANCE SIG	4	643
04/30/96	CACT		BY JDG HAHN ON 4-29-96!UL	0	643
05/01/96	CACT	POS	WILLIAM L. NAGLE, SPEC MASTER (SEE SERVICE LIST)	1	644
05/01/96	CACT		SRVD PRE TRIAL ORD #13 4-29-96 BY M!DD	0	644
05/02/96	CACT	ORD	PRE-TRIAL NO. 14 SGD JDG FORCUM 5-2-96! MS	1	645
05/08/96	CACT	POS	WILLIAM L NAGLE SPEC MASTER SRVD PRE TRIAL ORD#14	6	651
05/08/96	CACT		5-3-96 BY M (SEE SERVICE LIST)!DD	0	651
05/20/96	CACT	ORD	PRE-TRIAL NO. 15 ..ROBERT BROWN TO BE RETAINED BY	12	663
05/20/96	CACT		SPEC MASTER , ETC; SGD BY JDG HAHN 5-17! GH	0	663
05/23/96	CACT	POS	WILLIAM L.NAGLE SPEC MAST(SEE SERVICE LIST) SRVD	3	666
05/23/96	CACT		PRE-TRIAL ORD NO.15 5-21-96 BY M!DD	0	666
06/06/96	CACT	AOC	XDEFT SILVA FENCE CO ASSOCIATES DAVID N POLL	14	680
06/06/96	CACT		AS CO-COPUNSEL W/POS !JK	0	680
06/18/96	CACT	NTC	OF APPEARANCY BY XDEFT. DANIEL SMITH PLASTERING,	12	692
06/18/96	CACT		INC., W/POS !UF	0	692
06/18/96	CACT	FPD	$182.00 BY XDEFT. DANIEL SMITH PLASTERING INC!UF	0	692
06/21/96	CACT	ORD	PRE-TRIAL ORD #16 SIG BY JDG HAHN ON 6/19/96 !UF	3	695
06/21/96	CACT	POS	(SEE SERVICE LIST) SRVD NTC OF APPEARANCE ON	0	695
06/21/96	CACT		6/19/96 BY M !JK	0	695
06/26/96	CACT	POS	WILLIAM L NAGLE SPEC MAST(SEE SRVC LIST)SRVD PRE-	5	700
06/26/96	CACT		TRIAL ORD NO.16 6-24-96 BY M!DD	0	700
07/02/96	CACT	ORD	PRE-TRIAL ORD NO. 17 BY WILLIAM L. NAGLE SIG BY	6	706
07/02/96	CACT		JDG FORCUM ON 6-28-96!UL	0	706
07/05/96	CACT	FPD	182.00 BY HANSON'S MASONRY, INC.!MM	3	709
07/05/96	CACT	NTC	OF APPEARANCE BY HANSON'S MASONRY INC. W/POS!MM	0	709
07/10/96	CACT	POS	SPEC MASTER(SEE SERVICE LIST)SRVD PRETRIAL ORD #1	5	714
07/10/96	CACT		7-8-96 BY M!DD	0	714
08/06/96	CACT	ORD	PRE-TRIAL ORD #18 SIG BY JDG HAHN 8-1-96! WKP	27	741
08/09/96	CACT	POS	PRE TRI ORD #18 SRVD 8-7-97 BY M (SEE SVC LIST)!	3	744
08/13/96	CACT	DSM	ENT AS TO ANDEN GROUP, ET AL'S XCM AGAINST	4	748
08/13/96	CACT		XDEFT T & D TILE CO, INC W/O PREJ! NMC	0	748
08/14/96	CACT	ORD	PRE-TRIAL ORD NO 19 SIG BY JDG VEAL ON 8/12/96 !J	1	749
08/27/96	CACT	POS	"SEE SERVICE LIST" SRVD ENDORSED FILED	13	762
08/27/96	CACT		COPY OF THE REQ 4 DSM W/OUT PREJ OF XDEFT	0	762
08/27/96	CACT		T&D TILE CO INC ONLY ON 8/23/96 BY M! SCA	0	762
09/03/96	CACT	POS	"SEE SERVICE LIST" SRVD PRE-TRIAL ORD #19	7	769
09/03/96	CACT		ON 8/27/96 BY M! SCA	0	769
10/02/96	CACT	ORD	PRE-TRIAL ORD #19 SIG BY JDG HAHN 10-2-96! WKP	29	798
10/08/96	CACT	POS	SEE SRVC LIST SRVD PRE TRIAL ORD #19 10-3-96 BY	6	804
10/08/96	CACT		M! WKP	0	804
10/28/96	CACT	FPD	$14 ON EXPARTE! NM	20	824
10/28/96	CACT	MIS	APPLIC 4 DETERMINATION OF GOOD FAITH SETTLEMENT!	0	824
10/28/96	CACT	DEC	OF DANIEL P BEAVER IN SUPRT OF APPLIC GOOD FAITH!	0	824
10/28/96	CACT	NTC	OF SETTLEMENT! NM	0	824
10/28/96	CACT	POS	APPLIC 4 DETERM GOOD FAITH SET/DEC OF BEAVER/NTC	0	824

10/28/96	CACT		OF SET SRVD 10-14-96 BY M (SEE SERVICE LIST)! NM	0	824
10/29/96	CACT	ORD	PRE-TRIAL ORD #20 SIG BY JDG HAHN ON 10/28/96 !UF	1	825
10/30/96	CACT	ORD	PRE-TRIAL ORD #20 SIG BY JDG HAHN 10/29/96 !UF	1	826
10/30/96	CACT	NTC	OF ENTRY OF JMT OF DISMISSAL W/POS !UF	0	826
11/05/96	CACT	POS	PRE TRIAL ORD #20 SRVD 10-31-96 BY M (SEE SVC LIS	6	832
11/06/96	CACT	MOT	DEFTS/XDEFT. GLORIA DEVELOPMENT COMPANY, INC.,	1	833
11/06/96	CACT		ET AL NTC OF MOT & MOT 2 OPPOSE GOOD FAITH	0	833
11/06/96	CACT		SETTLEMENT APPLICATION ALONG W/MEMO P&A; DECL	0	833
11/06/96	CACT		OF THORSTEN J. PRAY; POS; FPD $14.00 (HRG 12-2)	0	833
11/12/96	CACT	FPD	$14 ON JDR! MS	6	839
11/12/96	CACT	JDR	BY X-DEFT DANIEL SMITH PLASTERING, INC. IN DEFT	0	839
11/12/96	CACT		& X-COMPLAINANT'S OPP & SEPARATE OPP 2 GOOD	0	839
11/12/96	CACT		FAITH SETTLEMENT APLIC W/POS (HRG 12-2-96)! MS	0	839
11/21/96	CACT	FPD	$14 ON JDR! MS	9	848
11/21/96	CACT	JDR	BY PACIFIC COAST BLDG PRODUCTS, DBA ALCAL	0	848
11/21/96	CACT		ROOFING 2 GLORIA DEVELOPMENT CO., INC.'S	0	848
11/21/96	CACT		MOT 2 OPPOSE GOOD FAITH SETTLEMENT W/POS	0	848
11/21/96	CACT		(HRG 12-16-96)! MS	0	848
12/02/96	CEVN	MOT	DEFTS. & XDEFTS. GLORIA DEVELOPMENT COMPANY, INC.	11	859
12/02/96	CEVN	MOT	X-DEFT DANIEL SMITH PLASTERING, INC.'S JOINDER IN	0	859
12/03/96	CACT	DSM	ENT AS TO XCMPL AGAINST SOILS FOUNDATION	1	860
12/03/96	CACT		SYSTEMS ONLY W/PREJ! NMO	0	860
12/06/96	CACT	OPP	PLTFS MEMO IN OPP 2 MOT OPPOSING GOOD FAITH	3	863
12/06/96	CACT		SETTLEMENT APLIC ALONG W/DECL OF MICHAEL B	0	863
12/06/96	CACT		ALLEN; DECL OF KEVIN TULLY; POS (HRG 12-16)!UF	0	863
12/06/96	CACT	FPD	$14 ON JDR! WKP	0	863
12/06/96	CACT	JDR	JDR OF TARA COATINGS IN NTC OF MOT OF O'BRIEN	0	863
12/06/96	CACT		& HICKS,ET AL 2 OPPOSE GOOD FAITH SETTLEMENT	0	863
12/06/96	CACT		APPLIC W/POS (HRG 12-16-96)! WKP	0	863
12/10/96	CACT	ORD	PRE-TRIAL ORD #21 SIG BY JDG HAHN 12-5-96! WKP	4	867
12/11/96	CACT	ORD	DETERMINING GOOD FAITH SETTLEMENT SIG BY JDG	1	868
12/11/96	CACT		FORCUM ON 12/10/96 !UF	0	868
12/12/96	CACT	ROP	REPLY BRIEF BY DANIEL SMITH PLASTERING,INC	1	869
12/12/96	CACT		W/POS (HRG 12-16-96)! WKP	0	869
12/13/96	CACT	POS	PRE TRIAL ORDER #21 SRVD 12-10-96 (SEE SERVICE LI	1	870
12/13/96	CACT	OPP	BY DEFTS & X-COMPLAINANTS THE ANDEN GROUP,	0	870
12/13/96	CACT		ESDEN PARTNERS, MDG ASSOCIATES, LTD., ESR	0	870
12/13/96	CACT		CORP., TMD CORP. & MIDEN CORP.'S JOINDER IN	0	870
12/13/96	CACT		PLTF'S OPP 2 MOT OPPOSING GOOD FAITH SETTLEMENT	0	870
12/13/96	CACT		APLIC W/POS (HRG 12-16-96, 4 DAYS LATE)! MS	0	870
12/16/96	CEVN	MOT	DEFTS. & XDEFTS. GLORIA DEVELOPMENT COMPANY, INC.	3	873
12/16/96	CEVN	MOT	X-DEFT DANIEL SMITH PLASTERING, INC.'S JOINDER IN	0	873
12/16/96	CEVN	MOT	DEFT PACIFIC COAST BUILDING PRODUCTS, DBA ALCAL R	0	873
12/16/96	CEVN	MOT	CROSS-DEFENDANT TARA COATINGS,INC.'S JOINDER IN M	0	873
12/19/96	CACT	NTC	OF ENTRY OF ORD DETERMINING GOOD FAITH SET W/POS	3	876
12/23/96	CACT	ORD	PRE-TRIAL ORD #22 - SIG BY JDG MARK FORCUM 12/23/	4	880
12/24/96	CACT	FPD	$14 ON MOT! MS	1	881
12/24/96	CACT	NTC	OF MOT & MOT 4 RECONSIDERATION OF ORD	0	881
12/24/96	CACT		GRANTING GOOD FAITH SETTLEMENT OF NORTH	0	881
12/24/96	CACT		EMPIRE; MEMO P&A IN SUPRT OF MOT; DECL OF	0	881
12/24/96	CACT		THORSTEN J. PRAY IN SUPRT OF MOT W/POS (HRG 1-1	0	881
12/30/96	CACT	POS	(AMND) (SEE SR LIST) SRVD NTC OF MOT & MOT	6	887
12/30/96	CACT		4 RECONSIDERATION OF ORD GRANTING GOOD FAITH	0	887
12/30/96	CACT		SETTLEMENT OF NORTH EMPIRE; MPA, DEC OF	0	887

12/30/96	CACT	THORSTEN J PRAY ON 12/24/96 BY M! NMC	0	887
12/31/96	CACT	POS BY M OF PRE-TRIAL ORDER NO. 22 (SEE SVC LIST)	1	888
12/31/96	CACT	ON 12-27! GH	0	888
01/02/97	CACT	MOT "JOINDER" BY XDEFTS FISK, FIRENZE ET AL IN MOT FO	2	890
01/02/97	CACT	RECONSIDERATION OF ORD GRNTG GOOD FAITH	0	890
01/02/97	CACT	SETTLEMENT OF NO. EMPIRE (HRG 1/14/97)	0	890
01/02/97	CACT	$14 FPD W/POS! SCA	0	890
01/03/97	CACT	NTC (AMENDED) OF MOT & MOT 4 RECONSIDERATION OF	1	891
01/03/97	CACT	ORD GRANTING GOOD FAITH SETTLEMENT OF NORTH	0	891
01/03/97	CACT	EMPIRE W/POS (HRG 1-14-97)! MS	0	891
01/06/97	CACT	OPP PLTF EDGEWATER ISLE HOMEOWNERS ASSOCATION'S	3	894
01/06/97	CACT	MEMO P&A IN OPP 2 O'BRIEN MOT 4 RECONSIDERATION;	0	894
01/06/97	CACT	DEC OF DANIEL P BEAVER IN SUPRT OF OPP;	0	894
01/06/97	CACT	OBJECTION 2 JDR OF X-DEFT FISK,FIRENZE &	0	894
01/06/97	CACT	MCLEAN;POS (HRG 1-14-97)! WKP	0	894
01/14/97	CEVN	MOT DEFTS' GLORIA DEVELOPMENT CO., INC., O'BRIEN & HI	8	902
01/14/97	CEVN	MOT CROSS-DEFT'S FISK, FIRENZE & MCLEAN AND DANIEL SM	0	902
01/23/97	CACT	ORD PRE-TRIAL ORD #23 SIG BY JDG FORCUM (SPECIAL MAST	9	911
01/31/97	CACT	POS WILLIAM L. NAGLE, SEE SERVICE LIST SRVD ON PRE-	8	919
01/31/97	CACT	TRIAL ORD #23 ON 1/29/97 BY M !RB	0	919
02/13/97	CACT	DSM RCVD !UF	13	932
02/13/97	CACT	DSM ENT AS TO XCMPL OF THE ANDEN GROUP AGAINST/	0	932
02/13/97	CACT	SIERRA LUMBER & FENCE COMPANY, INC W/O	0	932
02/13/97	CACT	PREJ! NMC	0	932
02/14/97	CACT	ORD PRE-TRIAL ORD #24 (SPECIAL MASTER) SIG BY JDG	1	933
02/14/97	CACT	FORCUM !RB	0	933
02/18/97	CACT	DSM ENT AS TO XCMPL OF THE ANDEN GROUP AS TO /	4	937
02/18/97	CACT	SACRAMENTO A-1 DOOR ONLY W/PREJ! NMC /	0	937
02/21/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #24 2-19-97	3	940
02/21/97	CACT	BY M! WKP	0	940
02/21/97	CACT	ORD GRANTING MOT 4 RECON & CONFIRMING GOOD FAITH	0	940
02/21/97	CACT	SETTLEMENT SIG BY JDG FORCUM ON 2/20/97 !UF	0	940
02/27/97	CACT	NTC OF ENTRY OF ORD BY MICHAEL B. ALLEN ATTY FOR	6	946
02/27/97	CACT	PLTF W/POS !RB	0	946
03/06/97	CEVN	SET FURTHER SETTLEMENT CONFERENCE	7	953
03/06/97	CACT	ORD AMND PRE TRIAL ORD #24 SIG BY JDG FORCUM	0	953
03/06/97	CACT	3-5-97! WKP	0	953
03/10/97	CACT	COM AMENDMENT 2 CMPL (C C P SEC 474)! NMC	4	957
03/10/97	CACT	ORD PRE-TRIAL ORD NO 25 NAMING DOE DEFTS 1 - 13	0	957
03/10/97	CACT	2 THE 2ND AMND CMPL. DOE 1 = RUTH & GOING,	0	957
03/10/97	CACT	INC; DOE 2 = SOIL FOUNDATION SYSTEMS; DOE 3 =	0	957
03/10/97	CACT	MELVIN LEE & ASSOC; DOE 4 = C APARICIO CEMENT	0	957
03/10/97	CACT	CONTRACTOR; DOE 5 = FISK, FIRENSE & MC LEAN;	0	957
03/10/97	CACT	DOE 6 = SIERRA LUMBER; DOE 7 = GONSALVES &	0	957
03/10/97	CACT	SANTUCCI, INC, DBA CONCO CEMENT CO; DOE 8 =	0	957
03/10/97	CACT	MISSION DRYWALL OF SAN JOSE; DOE 9 = SILVA	0	957
03/10/97	CACT	FENCE COMPANY; DOE 10 = SAN CARLOS	0	957
03/10/97	CACT	SHEETMETAL WORKS; DOE 11 = ALCAL ROOFING &	0	957
03/10/97	CACT	INSULATION; DOE 12 = DANIEL SMITH PLASTERING	0	957
03/10/97	CACT	INC; DOE 13 = TARA COATINGS! NMC	0	957
03/10/97	CACT	POS (SEE SRV LIST) SRVD PRE-TRIAL ORD #25	0	957
03/10/97	CACT	ON 3/10/99 BY M! NMC	0	957
03/11/97	CACT	POS AMENDED PRE TRI ORD #24 SRVD 3-6-97 BY M	1	958
03/11/97	CACT	(SEE SERVICE LIST)! NM	0	958

03/27/97	CACT	NTC OF ENTRY OF DSM/POS UF	16	974
04/14/97	CACT	ANS BY PACIFIC COAST BUILDING PRODUCTS,INC. DBA	18	992
04/14/97	CACT	ALCAL ROOFING & INSULATION 2 2ND AMND CMPL W/PO	0	992
04/22/97	CACT	NTC OF SET! NM	8	1000
04/22/97	CACT	MIS APPLIC FOR DETERM OF GOOD FAITH SET; DEC OF	0	1000
04/22/97	CACT	JOSEPH H HUBER IN SUPRT W/POS! NM	0	1000
05/19/97	CACT	ORD PRE TRIAL ORD #26 SIG BY JDG FORCUM 5-16-97! NM	27	1027
05/21/97	CACT	ORD PRE-TRIAL ORD #27 (SPECIAL MASTER) SIG BY JDG	2	1029
05/21/97	CACT	KOZLOSKI 5/19/97 !RB	0	1029
05/23/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #26 5-21-97	2	1031
05/23/97	CACT	BY M! WKP	0	1031
05/23/97	CACT	ORD DETERMINING CROWLEY COMPANY'S SET 2 BE IN GOOD	0	1031
05/23/97	CACT	FAITH SIG BY JDG PFEIFFER 5-22-97! NM	0	1031
05/28/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #27 5-23-97	5	1036
05/28/97	CACT	BY M! WKP	0	1036
06/09/97	CACT	DSM ENT ONLY AS TO XCM OF THE ANDEN GROUP AGAINST	12	1048
06/09/97	CACT	CROWLEY CO (SUED AS CROWLEY PLUMBING) !RB	0	1048
06/09/97	CACT	NTC OF ENTRY OF ORD W/POS !RB	0	1048
06/09/97	CACT	AOC OF ATTY BY JOSEPH H. HUBER ATTY FOR XD !RB	0	1048
06/16/97	CACT	ORD PRE TRIAL ORD #28 SIG BY JDG FORCUM 6-16-97! WKP	7	1055
06/24/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #28 6-18-97	8	1063
06/24/97	CACT	BY M! WKP	0	1063
07/01/97	CACT	ORD PRE-TRIAL ORD #29 SIG BY JDG FORCUM ON 6/30/97	7	1070
07/01/97	CACT	(SPECIAL MASTER) !RB	0	1070
07/09/97	CACT	POS PRE TRIAL ORDER #29 SRVD 7-3-97 BY M (SEE	8	1078
07/09/97	CACT	SERVICE LIST)! NM	0	1078
07/25/97	CACT	SUM ORIGINAL ISS ON DOE AMENDMENT--DOE 14-50 (NTC	16	1094
07/25/97	CACT	OF UNDOCUMENTED ACT)! WKP	0	1094
07/25/97	CACT	ORD PRE TRIAL ORD #31 SIG BY JDG FORCUM 7-25-97! WKP	0	1094
07/25/97	CACT	MIS CERTIFICATE OF CONSULTATION PURSUANT 2 CCP	0	1094
07/25/97	CACT	411.36 W/POS! WKP	0	1094
07/25/97	CACT	MIS CERTIFICATE OF MERIT PURSUANT 2 CCP 411.35	0	1094
07/25/97	CACT	W/POS! WKP	0	1094
07/25/97	CACT	COM AMNDMNT NAMING DOES 14= CORBIN/YAMAFUJI	0	1094
07/25/97	CACT	& PARTNERS AKA CYP INC, DOE 15 = WOODCRAFT	0	1094
07/25/97	CACT	CABINETS, DOE 16 = NORTH EMPIRE CONSTR,	0	1094
07/25/97	CACT	DOE 17 = CONCO CEMENT CO, DOE 18 = T&D TILE,	0	1094
07/25/97	CACT	DOE 19 = CROWN PLASTICS, DOE 20 = SACRAMENTO	0	1094
07/25/97	CACT	A-1 DOOR, DOE 21 = ACME IND, DOE 22 = ASSOC	0	1094
07/25/97	CACT	LIGHTING FIXTURE, DOE 23 = M&H ELECTRIC,	0	1094
07/25/97	CACT	DOE 24 = HARRIS FENCE, DOE 25 = BORCHERS BROS,	0	1094
07/25/97	CACT	DOE 26 = PENINSULA FLOORS , DOE 27 = BENNETT	0	1094
07/25/97	CACT	FLOORS, DOE 28 = FRAMES WORK CONNECTION,	0	1094
07/25/97	CACT	DOE 29 = CERTIFIED PRODUCTS, DOE 30 = B.L.	0	1094
07/25/97	CACT	COHEN LANDSCAPE INC, DOE 31 = HANSON'S MASONRY,	0	1094
07/25/97	CACT	DOE 32 = TECHNIBUILDERS IRON INC,	0	1094
07/25/97	CACT	DOE 33 = CARLOS RODRIGUEZ PAINTING	0	1094
07/25/97	CACT	DOE 34 = CROWLEY PLUMBING, DOE 35 = ASH ROOFING	0	1094
07/25/97	CACT	DOE 36 = A.J. SULLIVAN CO, DOE 37 = CELL CRETE	0	1094
07/25/97	CACT	DOE 38 = MJR CONSULTIING ENGINEERS	0	1094
07/25/97	CACT	DOE 39 = EDWARD L. PACK ASSOC INC	0	1094
07/25/97	CACT	DOE 40 = TJKM, DOE 41 = PACIFIC ENGINEERING	0	1094
07/25/97	CACT	DOE 42 = PIOMBO FISK, FIRENZE, MCLEAN	0	1094
07/25/97	CACT	DOE 43 = CHRISP COMPANY	0	1094

07/25/97	CACT	DOE 44 = R.D. MOORE CONSTR CO	0	1094
07/25/97	CACT	DOE 45 = SIERRA PRECAST, DOE 46 = M&H ELECTRIC	0	1094
07/25/97	CACT	DOE 47 = HOWARD ELECTRIC,	0	1094
07/25/97	CACT	DOE 48 = CONTINENTAL POOLS	0	1094
07/25/97	CACT	DOE 49 = MJB PIPELINE	0	1094
07/25/97	CACT	DOE 50 = PACIFIC LINING CO INC! SCA	0	1094
07/28/97	CACT SOA	LAW OFFICES OF THOMAS E MILLER INSTEAD OF	3	1097
07/28/97	CACT	LAW OFFICES OF MICHAEL B ALLEN,APC W/POS! WKP	0	1097
07/29/97	CACT PTO	#30 - SIG BY JDG MARK R. FORCUM 7/28/97 ! SCA	1	1098
07/31/97	CACT POS	GONSALVES & SANTUCCI SRVD SUM ON 2ND AMND CMPL/	2	1100
07/31/97	CACT	2ND AMND CMPL/AMNDMNT TO CMPL BY M ON 7/25/97!	0	1100
07/31/97	CACT POS	TARA COATINGS SRVD SUMS ON 2ND AMND CMPL/2ND AMND	0	1100
07/31/97	CACT	CMPL/AMNDMNT TO CMPL BY SRVG KEVIN GREELY	0	1100
07/31/97	CACT	PRESIDENT BY LEAVING COIPIES W/SANDRA MORIARTY	0	1100
07/31/97	CACT	SECRETARY ON 7/23/97! SCA	0	1100
07/31/97	CACT POS	TARA COATINGS ATTN KEVIN GREELY SRVD SUMS	0	1100
07/31/97	CACT	ON 2ND AMND CMPL/ 2ND AMND CMPL/ AMNDMNT TO	0	1100
07/31/97	CACT	CMPL ON 7/25/97 BY M! SCA	0	1100
07/31/97	CACT POS	MELVIN LEE ASSOC SRVD SUM ON 2ND AMND CMPL/	0	1100
07/31/97	CACT	2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG MELVIN	0	1100
07/31/97	CACT	LEE BY LEAVING COPIES W/JORDAN STEINBERG -	0	1100
07/31/97	CACT	PERSON IN CHARGE ON 7/23/97! SCA	0	1100
07/31/97	CACT POS	MELVIN LEES ASSOC ATTN: MELVIN LEE SRVD	0	1100
07/31/97	CACT	SUMS ON 2ND AMND CMPL/2ND AMND CMPL/	0	1100
07/31/97	CACT	AMNDMNT TO CMPL ON 7/25/97 BY M! SCA	0	1100
07/31/97	CACT POS	SIERRA LUMBER BY SRVG ROGER A. BURCH - REGISTERED	0	1100
07/31/97	CACT	AGNT SRVD SUM ON 2ND AMND CMPL/2ND AMND CMPL/	0	1100
07/31/97	CACT	AMNDMNT TO CMPL BY SRVG AUSTIN L. VANDERHOFF	0	1100
07/31/97	CACT	- EXECUTIVE VICE PRES ON 7/23/97 ! SCA	0	1100
07/31/97	CACT POS	GONSALVES & SANTUCCI INC DBA CONCO CEMENT CO	0	1100
07/31/97	CACT	SRVD SUMS ON 2ND AMND CMPL/2ND AMND CMPL/	0	1100
07/31/97	CACT	AMNDMNT TO CMPL BY SRVG STEVEN A. GONSALVES -	0	1100
07/31/97	CACT	PRESIDENT BY LEAVING COPIES W/HOLLY VERTUCCELLI	0	1100
07/31/97	CACT	PERSON IN CHARGE ON 7/23/97 ! SCA	0	1100
07/31/97	CACT POS	SILVA FENCE COMPANY ATTN THERESA SILVA SRVD	0	1100
07/31/97	CACT	SUM ON 2ND AMND CMPL/2ND AMND CMPL/AMNDMNT	0	1100
07/31/97	CACT	TO CMPL ON 7/25/97 BY M! SCA	0	1100
07/31/97	CACT POS	RUTH & GOING INC SRVD SUM ON 2ND AMND CMPL/	0	1100
07/31/97	CACT	2ND AMND CMPL/AMNDMNT TO CMPL BY SRVG	0	1100
07/31/97	CACT	ROBERT A. SMITH - REGISTERED AGNT BY LEAVING	0	1100
07/31/97	CACT	COPIES W/SHAWN PORTER - AUTH AGNT ON 7/23/97! S	0	1100
07/31/97	CACT POS	DANIEL SMITH PLASTERING INC SRVD SUMS ON 2ND	0	1100
07/31/97	CACT	AMND CMPL/ 2ND AMND CMPL/AMNDMNT TO CMPL BY	0	1100
07/31/97	CACT	SRVG JANE DOE-EMPLOYEE ON 7/23/97 ! SCA	0	1100
07/31/97	CACT DEC	OF DILIGENCE ON DANIEL SMITH PLASTERING INC! SCA	0	1100
07/31/97	CACT POS	DANIEL SMITH PLASTERING INC SRVD 7/25/97 BY M! SC	0	1100
07/31/97	CACT POS	C. APARACIO CEMENT CONTRACTOR SRVD SUMS ON 2ND AM	0	1100
07/31/97	CACT	CMPL/ 2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG	0	1100
07/31/97	CACT	EDWARD T. BERGO - AUTH AGNT ON 7/23/97! SCA	0	1100
07/31/97	CACT POS	SOIL FOUNDATION SYSTEMS SRVD SUM ON 2ND AMND CMPL	0	1100
07/31/97	CACT	2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG K.C.	0	1100
07/31/97	CACT	SOHN - AUTH AGNT ON 7/23/97 BY P! SCA	0	1100
07/31/97	CACT POS	SILVA FENCE CO SRVD SUM ON 2ND AMND CMPL/	0	1100
07/31/97	CACT	2ND AMND CMPL/ AMNDMNT TO CMPL BY SRVG	0	1100

07/31/97	CACT	THERESA SILVA - AUTH AGNT BY LEAVING COPIES	0	1100
07/31/97	CACT	W/ME GILL - PERSON IN CHARGE ON 7/23/97! SCA	0	1100
08/01/97	CACT	FPD 364.00 BY MELVIN LEE & ASSOCIATES,INC. AND RUTH	1	1101
08/01/97	CACT	& GOING,INC.!MM	0	1101
08/01/97	CACT	NTC OF APP BY MELVIN LEE & ASSOCIATES,INC. AND RUTH	0	1101
08/01/97	CACT	& GOING,INC.!MM	0	1101
08/04/97	CACT	POS SEE SRVC LIST SRVD PRE TRIAL ORD #30 7-31-97	3	1104
08/04/97	CACT	BY M! WKP	0	1104
08/07/97	CACT	POS BENNETT FLOORS SRVD ON SUM ON DOE AMNDMT; PLTF'S	3	1107
08/07/97	CACT	DOE AMNDMT; 2ND AMND CMPL ON 7/27/97 BY P SS	0	1107
08/07/97	CACT	(IRA C. BENNETT, OWNER) !RB	0	1107
08/07/97	CACT	POS FRAMES WORK CONNECTION SRVD ON SUM ON DOE AMNDMT;	0	1107
08/07/97	CACT	PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2	0	1107
08/07/97	CACT	BY P, SS (MARTIN FRAME, CORP OFFICER) !RB	0	1107
08/07/97	CACT	POS B.L. COHEN LANDSCAPE, INC. SRVD ON SUM ON DOE AMN	0	1107
08/07/97	CACT	PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL; ON	0	1107
08/07/97	CACT	7/28/97 BY P, SS (BARRY L. COHEN) !RB	0	1107
08/07/97	CACT	POS HANSON'S MASONRY SRVD ON SUM ON DOE AMNDMT; PLTF'	0	1107
08/07/97	CACT	DOE AMNDMT TO CMPL; 2ND SMND CMPL ON 7/27/97 BY	0	1107
08/07/97	CACT	SS (NANCY HANSON, CORP SECRETARY) !RB	0	1107
08/07/97	CACT	POS TECHNIBUILDERS IRON, INC. SRVD ON SUM ON DOE AMND	0	1107
08/07/97	CACT	PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2	0	1107
08/07/97	CACT	BY SS (LEROY HEINRICHS AGENT) !RB	0	1107
08/07/97	CACT	POS CARLOS RODRIGUEZ PAINTING SRVD ON SUM ON DOE AMND	0	1107
08/07/97	CACT	PLTF'S DOE AMNDMT; 2ND AMND CMPL ON 7/26/97 BY	0	1107
08/07/97	CACT	SS (CARLOS RODRIGUEZ, OWNER) !RB	0	1107
08/07/97	CACT	POS ASH ROOFING SRVD ON SUM ON DOE AMNDMT; PLTF'S	0	1107
08/07/97	CACT	DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97	0	1107
08/07/97	CACT	BY SS (LINDA ASH, PRESIDENT) !RB	0	1107
08/07/97	CACT	POS A.J. SULLIVAN CO SRVD ON CUM ON DOE AMNDMT; PLTF'	0	1107
08/07/97	CACT	DOE AMNDMT; 2ND AMND CMPL ON 7/27/97 BY SS	0	1107
08/07/97	CACT	(ARTHUR JAMES SULLIVAN, OWNER) !RB	0	1107
08/07/97	CACT	POS CELL-CRETE SRVD ON SUM ON DOE AMNDMT; PLTF'S DOE	0	1107
08/07/97	CACT	AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97 BY SS	0	1107
08/07/97	CACT	(LEWIS C.G. FISHER CORP OFFICER), W/DECL OF	0	1107
08/07/97	CACT	DILIGENCE & BY M !RB	0	1107
08/07/97	CACT	POS EDWARD L. PACK & ASSOC, INC. SRVD ON SUM ON DOE	0	1107
08/07/97	CACT	AMNDMT; PLTF'S DOE AMNDMT; 2ND AMND CMPL ON 7/2	0	1107
08/07/97	CACT	BY SS (JEFFREY K. PACK, AGENT) !RB	0	1107
08/07/97	CACT	POS PIOMBO-FISK, FIRENZE, MCLEAN SRVD ON SUM ON DOE	0	1107
08/07/97	CACT	AMNDMT; PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMP	0	1107
08/07/97	CACT	ON 7/26/97 BY SS (ROBERT DAMIR, AGENT) !RB	0	1107
08/07/97	CACT	POS CHRISP CCOMPANY SRVD ON SUM ON DOE AMNDMT; PLTF'S	0	1107
08/07/97	CACT	DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97	0	1107
08/07/97	CACT	BY SS (TOM FANNIN, CONTROLLER) W/DECL OF DILIGE	0	1107
08/07/97	CACT	& BY M !RB	0	1107
08/07/97	CACT	POS R.D. MOORE CONST CO SRVD ON SUM ON DOE AMNDMT;	0	1107
08/07/97	CACT	PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2	0	1107
08/07/97	CACT	BY SS (ROBERT MOORE, AGENT) !RB	0	1107
08/07/97	CACT	POS SIERRA PRECAST SRVD ON SUM ON DOE AMNDMT; PLTF'S	0	1107
08/07/97	CACT	DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97	0	1107
08/07/97	CACT	BY SS (RAY J. SCHOLZ, AGENT) !RB	0	1107
08/07/97	CACT	POS HOWARD ELECTRIC SRVD ON SUM ON DOE AMNDMT; PLTF'S	0	1107
08/07/97	CACT	DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/28/97	0	1107

08/07/97	CACT	BY SS (DON BEUKERS, PRESIDENT) !RB	0	1107
08/07/97	CACT	POS CONTINENTAL POOLS SRVD ON SUM ON DOE AMNDMT; PLTF	0	1107
08/07/97	CACT	DOE AMNDMT; 2ND AMND CMPL ON 7/27/97 BY SS	0	1107
08/07/97	CACT	(ALBERT LEROY TOWNSEND, PRESIDENT) !RB	0	1107
08/07/97	CACT	POS MJB PIPELINE SRVD ON SUM ON DOE AMNDMT; PLTF'S	0	1107
08/07/97	CACT	DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2897 BY	0	1107
08/07/97	CACT	SS (MANUEL DE FREITAS, OWNER) W/DECL OF DILIGEN	0	1107
08/07/97	CACT	& BY M !RB	0	1107
08/07/97	CACT	POS PACIFIC LINING CO. INC. SRVD ON SUM ON DOE AMNDMT	0	1107
08/07/97	CACT	PLTF'S DOE AMNDMT TO CMPL; 2ND AMND CMPL ON 7/2	0	1107
08/07/97	CACT	BY SS (JOHAN PERSLOW, PRESIDENT) !RB	0	1107
08/07/97	CACT	POS RUTH & GOING,INC BY SRVING BOB SMITH,PRESIDENT	0	1107
08/07/97	CACT	SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;	0	1107
08/07/97	CACT	SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2	0	1107
08/07/97	CACT	COM;POS BY MAIL;SRVC LIST;2ND AMND COM 7-28-97	0	1107
08/07/97	CACT	BY SS (CATHY DE MARIA,BUSINESS ADMINISTRATOR)	0	1107
08/07/97	CACT	& BY M! WKP	0	1107
08/07/97	CACT	POS SOIL FOUNDATION SYSTEMS SRVD SUM ON 2ND AMND	0	1107
08/07/97	CACT	COM;PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;	0	1107
08/07/97	CACT	PLTF'S DOE AMENDMENT 2 COM;POS BY MAIL;SRVC	0	1107
08/07/97	CACT	LIST;2ND AMND COM 7-28-97 BY P (PATRICK FAIN,	0	1107
08/07/97	CACT	VP)! WKP	0	1107
08/07/97	CACT	POS MELVIN LEE & ASSOCITES BY SRVING MELVIN LEE,	0	1107
08/07/97	CACT	PRESIDENT SRVD SUM ON 2ND AMND COM;PRE TRIAL	0	1107
08/07/97	CACT	ORD #25;SUM ON DOE AMENDMENT;PLTF'S DOE	0	1107
08/07/97	CACT	AMENDMENT 2 COM;POS BY MAIL;SRVC LIST;2ND AMND	0	1107
08/07/97	CACT	COM 7-28-97 BY SS (JORDAN STPARG,SUPERVISOR)	0	1107
08/07/97	CACT	& BY M! WKP	0	1107
08/07/97	CACT	POS C APARICIO CEMENT CONTRACTOR SRVD SUM ON 2ND	0	1107
08/07/97	CACT	AMND COM;PRE TRIAL ORD #25;SUM ON DOE	0	1107
08/07/97	CACT	AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;POS BY M;	0	1107
08/07/97	CACT	SRVC LIST;2ND AMND COM 7-28-97 BY P (ED BERGO,	0	1107
08/07/97	CACT	AUTHORIZED AGT)! WKP	0	1107
08/07/97	CACT	POS FISK,FIRENZE & MCLEAN SRVD SUM ON 2ND AMND COM;	0	1107
08/07/97	CACT	PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;PLTF'S	0	1107
08/07/97	CACT	DOE AMENDMENT 2 COM;POS BY M;SRVC LIST;2ND	0	1107
08/07/97	CACT	AMND COM 7-28-97 BY P (DAVID FIRENZE)! WKP	0	1107
08/07/97	CACT	POS SIERRA LUMBER BY SRVING ROGER BURCH,AUTHORIZED	0	1107
08/07/97	CACT	AGT SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;	0	1107
08/07/97	CACT	SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2	0	1107
08/07/97	CACT	COM;POS BY M;SRVC LIST;2ND AMND COM 7-28-97	0	1107
08/07/97	CACT	BY SS (VIVIAN HOUNSHELL,CONTRACT ADMINISTRATOR)	0	1107
08/07/97	CACT	& BY M! WKP	0	1107
08/07/97	CACT	POS GONSALVES & SANTUCCI,INC DBA CONCO CEMENT CO	0	1107
08/07/97	CACT	SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;	0	1107
08/07/97	CACT	SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2	0	1107
08/07/97	CACT	COM;POS BY M;SRVC LIST;2ND AMND COM 7-28-97	0	1107
08/07/97	CACT	BY P (BARRY SILBERMON,VP)! WKP	0	1107
08/07/97	CACT	POS MISSION DRYWALL OF SAN JOSE SRVD SUM ON 2ND	0	1107
08/07/97	CACT	AMND COM;PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;	0	1107
08/07/97	CACT	PLTF'S DOE AMENDMENT 2 COM;POS BY M;SRVC LIST;	0	1107
08/07/97	CACT	2ND AMND COM 7-28-97 BY P (JOHN MENDEZ,OWNER)! W	0	1107
08/07/97	CACT	POS SILVA FENCE COMPANY SRVD SUM ON 2ND AMND COM;PRE	0	1107
08/07/97	CACT	TRIAL ORD #25;SUM ON DOE AMENDMENT;PLTF'S DOE	0	1107

08/07/97	CACT	AMENDMENT 2 COM;POS BY M;SRVC LIST;2ND AMND	0	1107
08/07/97	CACT	COM 7-28-97 BY P (STEVE DREXLER,OWNER)! WKP	0	1107
08/07/97	CACT	POS SAN CARLOS SHEETMETAL WORKS SRVD SUM ON 2ND	0	1107
08/07/97	CACT	AMND COM;PRE TRIAL ORD #25;SUM ON DOE	0	1107
08/07/97	CACT	AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;POS BY M;	0	1107
08/07/97	CACT	SRVC LIST;2ND AMND COM 7-28-97 BY P (GARY	0	1107
08/07/97	CACT	DIBENEDETTI,PRESIDENT)! WKP	0	1107
08/07/97	CACT	POS ALCAL ROOFING & INSULATION BY SRVING DAVID	0	1107
08/07/97	CACT	LUCCHETTI,AUTHORIZED AGT SRVD SUM ON 2ND	0	1107
08/07/97	CACT	AMND COM;PRE TRIAL ORD #25;SUM ON DOE AMENDMENT;	0	1107
08/07/97	CACT	PLTF'S DOE AMENDMENT 2 COM;POS BY M;SRVC LIST;	0	1107
08/07/97	CACT	2ND AMND COM 7-28-97 BY SS (NANCY CLARK,	0	1107
08/07/97	CACT	SUPERVISOR) & BY M! WKP	0	1107
08/07/97	CACT	POS DANIEL SMITH PLASTERING,INC BY SRVING DANIEL	0	1107
08/07/97	CACT	SMITH SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD	0	1107
08/07/97	CACT	#25;SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2	0	1107
08/07/97	CACT	COM;POS BY M;SRVC LIST;2ND AMND COM 7-28-97 BY	0	1107
08/07/97	CACT	SS (MERIDTH DAVIS,SECRETARY) & BY M! WKP	0	1107
08/07/97	CACT	POS TARA COATINGS BY SRVING KEVIN GREELY,PRESIDENT	0	1107
08/07/97	CACT	SRVD SUM ON 2ND AMND COM;PRE TRIAL ORD #25;SUM	0	1107
08/07/97	CACT	ON DOE AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;	0	1107
08/07/97	CACT	POS BY M;SRVC LIST;2ND AMND COM 7-28-97 BY	0	1107
08/07/97	CACT	SS (SANDRA MORIARTY,OFFICE MANAGER) & BY M! WKP	0	1107
08/07/97	CACT	POS CORBIN/YAMAFUJI & PARTNERS AKA CYP,INC BY SRVING	0	1107
08/07/97	CACT	DONALD R CORBIN,PRESIDENT SRVD SUM ON DOE	0	1107
08/07/97	CACT	AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;2ND	0	1107
08/07/97	CACT	AMND COM 7-27-97 BY SS (RON DURAN,SECURITY	0	1107
08/07/97	CACT	OFFICER) & BY M! WKP	0	1107
08/07/97	CACT	POS T & D TILE,INC SRVD SUM ON DOE AMENDMENT;PLTF'S	0	1107
08/07/97	CACT	DOE AMENDMENT 2 COM;2ND AMND COM 7-28-97 BY	0	1107
08/07/97	CACT	P (ALLEN DELLA MAGGIORE,CORPORATE OFFICER,	0	1107
08/07/97	CACT	AUTHORIZED AGT)! WKP	0	1107
08/07/97	CACT	POS CROWN PLASTICS BY SRVING JOHN L BLADES,REGISTERED	0	1107
08/07/97	CACT	AGT SRVD SUM ON DOE AMENDMENT;PLTF'S DOE	0	1107
08/07/97	CACT	AMENDMENT;2ND AMND COM 7-28-97 BY SS (DONNA	0	1107
08/07/97	CACT	MCFARLANE,PERSON IN CHARGE) & BY M! WKP	0	1107
08/07/97	CACT	POS ACME INDUSTRIES BY SRVING T.J. BARTELL,PRES	0	1107
08/07/97	CACT	SRVD SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT	0	1107
08/07/97	CACT	2 COM;2ND AMND COM 7-28-97 BY SS (BARBARA	0	1107
08/07/97	CACT	MARNY,MANAGER) & BY M! WKP	0	1107
08/07/97	CACT	POS ASSOCIATED LIGHTING FIXTURE COMPANY SRVD SUM ON	0	1107
08/07/97	CACT	DOE AMENDMENT;PLTF'S DOE AMENDMENT 2 COM;2ND	0	1107
08/07/97	CACT	AMND COM 7-28-97 BY P (BOB KLATZ,OWNER)! WKP	0	1107
08/07/97	CACT	POS M & H ELECTRIC SRVD SUM ON DOE AMENDMENT;PLTF'S	0	1107
08/07/97	CACT	DOE AMENDMENT 2 COM;2ND AMND COM 7-26-97 BY	0	1107
08/07/97	CACT	P (MANUEL ROMAN,JR,AUTHORIZED AGT)! WKP	0	1107
08/07/97	CACT	POS BORCHERS BROS BY SRVING JOHN BORCH,PRESIDENT	0	1107
08/07/97	CACT	SRVD SUM ON DOE AMENDMENT;PLTF'S DOE AMENDMENT	0	1107
08/07/97	CACT	2 COM;2ND AMND COM 7-28-97 BY SS (CHRIS	0	1107
08/07/97	CACT	HOEBEL,SUPERVISOR) & BY M! WKP	0	1107
08/07/97	CACT	POS PENINSULA FLOORS BY SRVING PATRICK MAHONEY,	0	1107
08/07/97	CACT	REGISTERED AGT SRVD SUM ON DOE AMENDMENT;	0	1107
08/07/97	CACT	PLTF'S DOE AMENDMENT;2ND AMND COM 7-27-97 BY	0	1107
08/07/97	CACT	SS (MS MAHONEY,WIFE) & BY M! WKP	0	1107

08/14/97	CACT	ANS BY HANSON'S MASONRY,INC. 2 1ST AMND CMPL W/POS!MM	7	1114
08/18/97	CACT	ORD PRE TRIAL ORD #32 SIG BY JDG FORCUM 8-18-971 NM	4	1118
08/25/97	CACT	ANS BY GONSALVES & SANTUCCI,INC. DBA CONCO CEMENT	7	1125
08/25/97	CACT	COMPANY 2 SECOND AMND CMPL W/POS!MM	0	1125
08/27/97	CACT	ANS BY T & D TILE COMPANY,INC TO 2ND AMND COM W/POS!	2	1127
08/28/97	CACT	OPP 2 PLTFS MOT 2 AUGMENT EXPERT WITNESS DESIGNATION	1	1128
08/28/97	CACT	(HRG 9/3/97 - SP MASTER)! NMC	0	1128
08/29/97	CACT	POS CERTIFIED PRODUCTS SRVD SUM ON DOE AMENDMENT;	1	1129
08/29/97	CACT	PLTF'S DOE AMENDMENT 2 COM;2ND AMND COM	0	1129
08/29/97	CACT	7-28-97 BY M (DONALD L LOHOFF,PRESIDENT)	0	1129
08/29/97	CACT	(CERTIFIED & RETURN RECEIPT ATTACHED)! WKP	0	1129
08/29/97	CACT	POS MJR CONSULTING ENGINEERS SRVD SUM ON DOE AMENDMEN	0	1129
08/29/97	CACT	PLTF'S DOE AMENDMENT 2 COM;2ND AMND COM 7-28-97	0	1129
08/29/97	CACT	BY M (MICHAEL JOSEPH RHODES,OWNER) (CERTIFIED	0	1129
08/29/97	CACT	& RETURN RECEIPT ATTACHED)! WKP	0	1129
08/29/97	CACT	POS CERTIFIED PRODUCTS SRVD SUM ON DOE AMENDMENT;	0	1129
08/29/97	CACT	PLTF'S DOE AMENDMENT 2 COM;2ND AMND COM	0	1129
08/29/97	CACT	7-28-97 BY P (DONALD L LOHOFF,PRESIDENT)! WKP	0	1129
08/29/97	CACT	POS WOODCRAFT CABINETS BY SRVING RONALD R ALBER,	0	1129
08/29/97	CACT	PRESIDENT SRVD SUM ON DOE AMENDMENT;PLTF'S	0	1129
08/29/97	CACT	DOE AMENDMENT;2ND AMND COM 7-28-97 BY SS	0	1129
08/29/97	CACT	(JOEL BARRETO,MANAGER) & BY M! WKP	0	1129
08/29/97	CACT	POS HARRIS FENCE BY SRVING DONALD HARRIS,III,	0	1129
08/29/97	CACT	AUTHORIZED AGT SRVD SUM ON DOE AMENDMENT;PLTF'S	0	1129
08/29/97	CACT	DOE AMENDMENT 2 COM;2ND AMND COM 7-28-97 BY SS	0	1129
08/29/97	CACT	(KATHY COHEN,PERSON IN CHARGE) & BY M	0	1129
08/29/97	CACT	(DEC OF DILIGENCE ATTACHED)! WKP	0	1129
09/03/97	CEVN	HEA SETTLEMENT CONFERENCE	5	1134
09/03/97	CACT	FPD $182 BY CARLOS RODRIGUEZ PAINTING ON 1ST APPEAR!	0	1134
09/03/97	CACT	NTC OF APPEARANCE BY CARLOS RODRIGUEZ PAINTING	0	1134
09/03/97	CACT	W/POS! WKP	0	1134
09/04/97	CACT	NTC OF APPEARANCE BY MICHAEL D. BRUNO ATTY FOR DEFT !	1	1135
09/04/97	CACT	FPD $182 PD BY DANIEL SMITH PLASTERING !RB	0	1135
09/15/97	CACT	ORD AMENDED PRE TRI ORD #32 SIG BY JDG FORCUM 9-10-97	11	1146
09/18/97	CACT	FPD 182.00 BY PENINSULA FLOORS,INC.!MM	3	1149
09/18/97	CACT	ANS BY PENINSULA FLOORS,INC. 2 2ND AMND CMPL W/POS!MM	0	1149
09/19/97	CACT	ANS BY SIERRA LUMBER & FENCE CO 2 2ND AMND CMPL W/POS	1	1150
09/23/97	CACT	ORD PRE TRIAL ORD #33 SIG BY JDG FORCUM 9-22-971 NM	4	1154
09/26/97	CACT	FPD 182.00 BY CHRISP COMPANY!MM	3	1157
09/26/97	CACT	ANS BY CHRISP COMPANY 2 CMPL W/POS!MM	0	1157
09/29/97	CACT	FPD 182.00 BY B.L. COHEN LANDSCAPE!MM	3	1160
09/29/97	CACT	NTC OF APP BY B.L. COHEN LANDSCAPE W/POS!MM	0	1160
10/02/97	CACT	FPD 182.00 BY SILVA FENCE COMPANY!MM	3	1163
10/02/97	CACT	NTC OF APP BY SILVA FENCE COMPANY W/POS!MM	0	1163
10/06/97	CACT	ORD PRE TRI ORD #36 SIG BY JDG FORCUM 10-6-97! NM	4	1167
10/06/97	CACT	ORD PRE TRI ORD #34 SIG BY JDG FORCUM 10-6-97! NM	0	1167
10/06/97	CACT	ORD PRE TRI ORD #35 SIG BY JDG FORCUM 10-6-97! NM	0	1167
10/06/97	CACT	POS SEE SRVC LIST SRVD AMND PRE TRIAL ORD #32 &	0	1167
10/06/97	CACT	PRE TRIAL ORD #33 10-1-97 BY M! WKP	0	1167
10/07/97	CACT	AOC STEPHAN & CONROY ASSOCIATES LAW OFFICES OF	1	1168
10/07/97	CACT	CHARLOTTE M VENNER W/POS! WKP	0	1168
10/10/97	CACT	POS PRE TRIAL ORD #25 SRVD 10-7-97 BY M (SEE	3	1171
10/10/97	CACT	SERVICE LIST)! NM	0	1171
10/14/97	CACT	ANS BY DEFT TARA COATINGS, INC., SUED AS DOE 13	4	1175

10/14/97	CACT	2 2ND AMND CMPL UF	0	1175
10/22/97	CACT	MOT BY DEFT: TECHNIBUILDERS IRON TO DISMISS ACTION /	8	1183
10/22/97	CACT	MEMO P& A / DECL CAROL J STAIR / PROP ORDER	0	1183
10/22/97	CACT	WPOS (11-20)! GH	0	1183
10/22/97	CACT	POS WILLIAM L NAGLE, MICHAEL B ALLEN, ET AL (SEE	0	1183
10/22/97	CACT	SRVC LIST) SRVD PRE-TRIAL ORD #34 & 36 ON	0	1183
10/22/97	CACT	10/17/97 BY M UF*	0	1183
10/23/97	CACT	FPD $14 ON MOT! MS	1	1184
10/23/97	CACT	NTC OF MOT & MOT BY DEFT CARLOS RODRIGUEZ	0	1184
10/23/97	CACT	PAINTING 2 DISMISS ACTION PURSUANT 2	0	1184
10/23/97	CACT	CCP S 583.420; MPA IN SUPRT THEREOF;	0	1184
10/23/97	CACT	DECL OF JAMES F. BLAKE; & PROPOSED ORD;	0	1184
10/23/97	CACT	POS (HRG 11-20-97)! MS	0	1184
10/27/97	CACT	ANS BY DEFT CARLOS RODRIGUEZ PAINTING 2 CMPL UF	4	1188
11/03/97	CACT	ORD PRE-TRIAL ORD NO. 37 SGD JDG FORCUM 11-3-97! MS	7	1195
11/03/97	CACT	ORD PRE-TRIAL ORD NO. 38 ORD RE DEPO SCHEDULE	0	1195
11/03/97	CACT	& PROTOCOL SGD JDG FORCUM 11-3-97! MS	0	1195
11/06/97	CACT	AOC THE DOMINION LAW GROUP ASSOCIATES DAVID S	3	1198
11/06/97	CACT	HENNINGSEN OF ROBINSON & WOOD,INC W/POS! WKP	0	1198
11/06/97	CACT	FPD $14 ON MOT! MS	0	1198
11/06/97	CACT	NTC (AMENDED) OF MOT & MOT BY DEFT TECHNIBUILDERS	0	1198
11/06/97	CACT	IRON 2 DISMISS ACTION; MPA & DECL OF CAROL	0	1198
11/06/97	CACT	J. STAIR IN SUPRT THEREOF; POS (HRG 12-5-97)!	0	1198
11/07/97	CACT	MOT & NTC BY DEFT TECHNIBUILDERS IRON 2 DISMISS	1	1199
11/07/97	CACT	ACT;MEMO P&A IN SUPRT;DEC OF CAROL J STAIR IN	0	1199
11/07/97	CACT	SUPRT;POS;$14 PAID (HRG 12-29-97)! WKP	0	1199
11/10/97	CACT	ORD PRE TRIAL ORD #39 SIG BY JDG FORCUM 11-10-97! WKP	3	1202
11/13/97	CEVN	207 MANDATORY SETTLEMENT CONFERENCES (12/8/97)	3	1205
11/13/97	CACT	MOT DEFT B L COHEN LANDSCAPE NTC OF MOT/MOT 2 DISMISS	0	1205
11/13/97	CACT	ACTION; MEMO P&A; DECL OF SUSAN P GREY; PROPOSE	0	1205
11/13/97	CACT	ORD; POS; $14.00 PD - (HRG 1-6-98) UF	0	1205
11/13/97	CACT	FPD $182 BY SIERRA PRECAST,INC ON 1ST APPEAR! WKP	0	1205
11/13/97	CACT	MOT & NTC BY SIERRA PRECAST,INC 2 DISMISS ACT;MEMO	0	1205
11/13/97	CACT	P&A IN SUPRT;DEC OF MICHAEL P QUINLIVAN IN	0	1205
11/13/97	CACT	SUPRT;POS;$14 PAID (HRG 12-5-97)! WKP	0	1205
11/14/97	CACT	ORD PRE TRIAL ORD #40 ORD 2 APPEAR AT MEDIATION	1	1206
11/14/97	CACT	11-13 AND 11-14-97 SIG BY JDG FORCUM 11-12-97! N	0	1206
11/17/97	CACT	POS WILLIAM L NAGLE, THOMAS A MILLER, ETAL (SEE SRVC	3	1209
11/17/97	CACT	LIST) SRVD PRE-TRIAL ORD #37 ON 11/13/97 BY M U	0	1209
11/19/97	CACT	POS SEE SRVD LIST SRVD PRE TRIAL ORD NO 40	2	1211
11/19/97	CACT	11-17-97 BY M! WKP	0	1211
11/20/97	CEVN	MOT DEFT: TECHNIBUILDERS IRON'S MOTION TO DISMISS	1	1212
11/20/97	CEVN	MOT DEFT CARLOS RODRIGUEZ PAINTING'S MOTION TO DISMIS	0	1212
11/21/97	CACT	OPP BY PLTFS 2 DEFT TECHNIBUILDERS IRON'S MOT 2 DISMI	1	1213
11/21/97	CACT	ACTION W/POS - (HRG 12-29-97) UF	0	1213
11/25/97	CACT	MOT & NTC BY DEFT CARLOS RODRIGUEZ PAINTING 2	4	1217
11/25/97	CACT	DISMISS ACT PER CCP 583.420;MEMO P&A IN SUPRT;	0	1217
11/25/97	CACT	DEC OF JAMES F BLAKE IN SUPRT;POS;PROPOSED ORD;	0	1217
11/25/97	CACT	$14 PAID (HRG 1-12-98)! WKP	0	1217
11/25/97	CACT	AOC DONALD B FORNASIER ASSOCIATES DAVID S	0	1217
11/25/97	CACT	HENNINGSEN W/POS! WKP	0	1217
11/26/97	CACT	DSM ENT AS TO XCOM OF THE ANDEN GROUP, MIDEN CORP,	1	1218
11/26/97	CACT	ESDEN PARTNERS, MDG ASSOC., TMD CORP., &	0	1218
11/26/97	CACT	ESR CORP. AS AGAINST HANSON'S MASONRY ONLY)	0	1218

11/26/97	CACT		W/PREJ! NMC	0	1218
12/01/97	CACT	ORD	PRE-TRIAL ORDER NO.41,SGD BY JDG FORCUM 11-24-97!	5	1223
12/02/97	CACT	OPP	PLTF'S OPPOSITION TO MOTION TO DISMISS ACTION BY	1	1224
12/02/97	CACT		B.L. COHEN LANDSCAPE -W/POS M ! AD	0	1224
12/02/97	CACT	OPP	PLTF'S OPPOSITION TO MOTION TO DISMISS ACTION BY	0	1224
12/02/97	CACT		DEFT SIERRA PRECAST - W/POS M ! AD	0	1224
12/02/97	CACT	MPA	CORRECTED MEMO P&A IN SUPRT OF MOT 2 DISMISS	0	1224
12/02/97	CACT		THE CMPL & ALL DEEMED XCMS BY DEFT B.L. COHEN	0	1224
12/02/97	CACT		LANDSCAPE W/POS - (HRG 1-6-98) UF	0	1224
12/05/97	CEVN	MOT	DEFT TECHNIBUILDERS IRON'S MOTION TO DISMISS ACTI	3	1227
12/05/97	CEVN	MOT	DEFT SIERRA PRECAST,INC.'S MOTION TO DISMISS ACTI	0	1227
12/05/97	CACT	OPP	BY PLTF 2 MOT 2 DSM ACTION BY CARLOS RODRIGUEZ	0	1227
12/05/97	CACT		PAINTINGW/POS (HRG 1-12-98)! NM	0	1227
12/05/97	CACT	ANS	BY DEFT MELVIN LEE ASSOCIATES 2 2ND AMND CMPL UF	0	1227
12/05/97	CACT	ANS	OF DEFT RUTH & GOING, INC. 2 2ND AMND CMPL UF	0	1227
12/05/97	CACT	MIS	AMNDMNT 2 DEEMED ANS 2 DEEMED XCMS 4 RUTH &	0	1227
12/05/97	CACT		GOING INC UF	0	1227
12/05/97	CACT	MIS	AMNDMNT 2 DEEMED ANS 2 DEEMED XCMS 4 MELVIN	0	1227
12/05/97	CACT		LEE ASSOCIATES UF	0	1227
12/08/97	CEVN	TRI	/NOTICE PER PRE TRIAL ORDER; WM. NAGLE	3	1230
12/08/97	CACT	POS	WILLIAM L. NAGLE, ESG. (SEE SERVICE LIST)	0	1230
12/08/97	CACT		SRVD ON PRE-TRIAL ORD #41 BY M !RB	0	1230
12/09/97	CACT	MIS	ASSOC OF COUNSEL SUSAN P. GREY 4 DEF'S ATTY	1	1231
12/09/97	CACT		W/POS!MEF	0	1231
12/09/97	CACT	ORD	PRE-TRL #42 SGN JDG FORCUM 12/8/97!MG	0	1231
12/10/97	CACT	ORD	PRE-TRL #43 SGN JDG FORCUM 12/10/97!MG	1	1232
12/17/97	CACT	ROP	TO PLTF'S OPP TO MOT TO DISMISS OF DEFT B.L. COHE	7	1239
12/17/97	CACT		LANDSCAPE; DECL OF SUSAN P. GREY IN SUPRT;	0	1239
12/17/97	CACT		W/POS !RB	0	1239
12/17/97	CACT	ANS	BY SAN CARLOS SHEET METAL WORKS, INC'S 2 THE	0	1239
12/17/97	CACT		2ND AMND CMPL W/POS !MF	0	1239
12/18/97	CACT	DSM	AS TO DEF T&D TILE,ONLY W/OUT PREJ!MM	1	1240
12/19/97	CACT	DSM	ENT 12-26, DEF PENINSULA FLOORS,ONLY W/OUT PREJ!M	1	1241
12/22/97	CACT	REP	DEFT CARLOS RODRIGUEZ PAINTING REPLY BRIEF IN	3	1244
12/22/97	CACT		SUPRT OF ITS MOT 2 DISMISS ACTION ALONG W/2ND	0	1244
12/22/97	CACT		DECL OF JAMES F BLAKE; POS - (HRG 1-12-98) UF	0	1244
12/26/97	CACT	ORD	PRETRL ORD. 44 SGN JDG FORCUM 12/26/97!MG	4	1248
12/26/97	CACT	ORD	PRETRL ORD #45 SGN JDG FORCUM 12/26/97!MG	0	1248
12/26/97	CACT	ORD	PRETRL ORD #46 SGN JDG FORCUM 12/26/97!MG	0	1248
12/29/97	CEVN	MOT	DEFT TECHNIBUILDERS IRON'S MOTION TO DISMISS ACTI	3	1251
12/30/97	CACT	REP	BRIEF BY DEFT TECHINBUILDERS IRON	1	1252
12/30/97	CACT		(HRG 1/6/98) W/POS! SCA	0	1252
01/02/98	CACT	DSM	ENTD 1-5,AS TO DEF SIERRA PRECAST W/OUT PREJ!MM	3	1255
01/06/98	CEVN	MOT	DEFT B.L. COHEN LANDSCAPE MOTION TO DISMISS ACTIO	4	1259
01/06/98	CEVN	MOT	DEFT SIERRA PRECAST,INC.'S MOTION TO DISMISS ACTI	0	1259
01/06/98	CEVN	MOT	DEFT TECHNIBUILDERS IRON'S MOTION TO DISMISS ACTI	0	1259
01/06/98	CACT	DSM	ENTD 1-6,AS TO DEF M&H ELECTRIC,ONLY W/OUT PREJ!M	0	1259
01/08/98	CACT	NTC	OF ENTRY OF DSM & POS!MM	2	1261
01/08/98	CACT	DSM	ENTD 1-9,AS TO DEF HANSON'S MASONRY, ONLY W/OUT P	0	1261
01/12/98	CEVN	MOT	DEFT CARLOS RODRIGUEZ PAINTING'S MOTION TO DISMIS	4	1265
01/12/98	CACT	POS	PRE-TRI ORDS #43-46 1-8-98 BY M (SEE SERVICE	0	1265
01/12/98	CACT		LIST)! DR	0	1265
01/12/98	CACT	XCM	AMNDMT 2 DEEMED XCM 4 EXPRESS INDEMNITY,DECLARATO	0	1265
01/12/98	CACT		RELIEF & CONTRIBUTION W/POS!MEF	0	1265

01/12/98	CACT	ORD PRE-TRIAL ORDER #47-ORDER TO APPEAR AT MEDIATION	0	1265
01/12/98	CACT	JAN 15 & 16, 1998 - ORDER TO APPEAR AT MEDIATIO	0	1265
01/12/98	CACT	SGN 1-9-98 BY JDG KOZLOSKI ! AD	0	1265
01/13/98	CACT	MOT DEFT SIERRA LUMBER & FENCE CO NTC OF MOT/MOT 4	1	1266
01/13/98	CACT	SJ ALONG W/SEPARATE STMT; MEMO P&A; DECL OF	0	1266
01/13/98	CACT	LYNN M DIRINGER; PROPOSED ORD; POS; FPD $100.00	0	1266
01/13/98	CACT	(HRG 2-13-98) UF	0	1266
01/13/98	CACT	NTC OF RULING W/POS!MM	0	1266
01/13/98	CACT	ORD PRETRIAL ORD RE PLTFS CLAIMS RELATED TO PAINTING	0	1266
01/13/98	CACT	SIG BY JDG KOZLOSKI 1-12-98! NM	0	1266
01/15/98	CACT	DSM RECEIVED! MS	2	1268
01/15/98	CACT	NTC OF ENTRY OF DSM/POS UF	0	1268
01/21/98	CACT	ANS BY DEFT GLORIA DEVELOPMENT CO. INC. & O'BRIEN & H	6	1274
01/21/98	CACT	INC. TO AMNDMT TO DEEMED XCM OF RUTH & GOING, I	0	1274
01/21/98	CACT	W/POS !RB	0	1274
01/21/98	CACT	POS THOMAS E MILLER SRVD NTC OF MOT & MOT 4 SJ BY	0	1274
01/21/98	CACT	DEFT SIERRA LUMBER & FENCE COMPANY; MEMO P&A	0	1274
01/21/98	CACT	IN SPRT; SEPARATE STMT OF UNDISPUTED FACTS;	0	1274
01/21/98	CACT	DEC OF LYNN M DIRINGER IN SPRT & PROP ORD	0	1274
01/21/98	CACT	GRANTING SJ IN FAVOR OF DEFT SIERRA LUMBER &	0	1274
01/21/98	CACT	FENCE COMPANY 1-15-98 BY M! DR	0	1274
01/21/98	CACT	POS ENDORSED-FILED COPY OF REQ 4 DSM, WITHOUT	0	1274
01/21/98	CACT	PREJUDICE, OF PLTFS COM AGAINST DEFT T & D	0	1274
01/21/98	CACT	TILE ONLY, FILED BY THE COURT 12-18-97;	0	1274
01/21/98	CACT	SRVD 1-19-98 BY M (SEE SERVICE LIST)! DR	0	1274
01/22/98	CACT	DEC OF BRUCE MAYFIELD IN SPRT OF PLTF'S OPP 2 MOT	1	1275
01/22/98	CACT	4 SUM JMT B/SIERRA LUMBER!MEF	0	1275
01/22/98	CACT	OPP PLTF'S OPP 2 MOT 4 SUM JMT B/DEF SIERRA LUMBER	0	1275
01/22/98	CACT	& FENCE;MPA W/POS (HRG 02-13-98)!MEF	0	1275
01/22/98	CACT	MIS SEPARATE STATEMENT IN OPP 2 MOT 4 SUM JMT!MEF	0	1275
01/22/98	CACT	NTC DEFT TECHNIBUILDERS IRON NTC OF APPEARANCE IN	0	1275
01/22/98	CACT	LIEU OF AN ANS W/POS !RB	0	1275
01/22/98	CACT	ORD PRE-TRIAL ORD #48 SIG BY JDG KOZLOSKI !AD	0	1275
01/26/98	CACT	POS PRE-TRI ORD #47 ORD TO APPEAR AT MEDIATION	4	1279
01/26/98	CACT	1-13&16-98 (ENDORSED-FILED 1-12-98) SRVD	0	1279
01/26/98	CACT	1-19-98 (SEE SERVICE LIST)! DR	0	1279
01/26/98	CACT	DSM ENTD 1-26, AS TO CMPL, AS TO DEFT CRISP CO.	0	1279
01/26/98	CACT	ONLY W/O PREJ! MS	0	1279
01/27/98	CACT	ANS BY DEFT CELL CRETE CORP. TO CMPL W/POS !RB	1	1280
01/27/98	CACT	FPD $185 PD BY CELL-CRETE CORPORATION !RB	0	1280
02/05/98	CACT	POS WILLIAM L NAGLE, THOMAS E MILLER, ETAL (SEE SRVC	9	1289
02/05/98	CACT	LIST) SRVD PRE-TRIAL ORD #48 ON 2/3/98 BY M !ME	0	1289
02/06/98	CACT	ROP DEFT SIERRA LUMBER & FENCE COMPANY'S ROP 2 MOT	1	1290
02/06/98	CACT	4 SJ (HRG 2-13-98) W/POS! DR	0	1290
02/11/98	CACT	ORD PRE-TRIAL ORDER NO. 50 -SGN 2-9-98 BY JDG KOZLOSK	5	1295
02/11/98	CACT	ORD PRE-TRIAL ORDER NO.49 -ORDER TO APPEAR AT MEDIATI	0	1295
02/11/98	CACT	JANUARY 29 & 30, 1998-SGN 2-9-98 BY JDG KOZLOSK	0	1295
02/13/98	CEVN	MOT DEFT SIERRA LUMBER & FENCE COMPANY MOTION FOR SUM	2	1297
02/20/98	CEVN	207 MANDATORY SETTLEMENT CONFERENCES (3/2/98)	7	1304
02/20/98	CACT	ORD PRE-TRIAL ORDER NO.52 -SGN 2-10-98 BY JDG KOZLOSK	0	1304
02/23/98	CACT	POS WILLIAM L. NAGLE, THOMAS A. MILLER, MARISA DAMICO	3	1307
02/23/98	CACT	ET AL (SEE SRVC LIST) SRVD PRE-TRIAL ORD #49	0	1307
02/23/98	CACT	& PRE-TRIAL ORD #50 ON 2/19/98 BY M UF	0	1307
02/25/98	CACT	ORD PRE-TRIAL ORD #51 (TD CONTINUED TO 5/26/98-	2	1309

02/25/98	CACT		MSC 4/14/98 @10AM) SIG BY JDG J.W. KOZLOSKI	0	1309
02/25/98	CACT		2/24/98! SCA	0	1309
03/02/98	CEVN	TRI	/PER CHRIS BRITTAN, WM. NAGLE, SHE WILL NOTICE	5	1314
03/02/98	CACT	POS	PRE TRIAL ORDER #52 SRVD 2-25-98 BY M (SEE	0	1314
03/02/98	CACT		SERVICE LIST)! NM	0	1314
03/02/98	CACT	ORD	PERMITTING HRG ON MOTS 4 SJ & SA LESS THAN 30 DAY	0	1314
03/02/98	CACT		BEFORE TRIAL (MOTS TO BE FILED/SRVD BY 3/16/98	0	1314
03/02/98	CACT		& MOTS TO BE HEARD ON 4/13/98) SIG BY JDG	0	1314
03/02/98	CACT		ROSEMARY PFEIFFER 2/24/98 ($23 FPD)! SCA	0	1314
03/03/98	CACT	POS	"SEE LIST" SRVD PRE-TRIAL ORD #51 B/M ON 02-27-98	1	1315
03/04/98	CACT	DSM	ENTD 3-4, AS TO CMPL, AS TO DEFT R.D.	1	1316
03/04/98	CACT		MOORE CONSTRUCTION CO., INC. W/O PREJ! MS	0	1316
03/04/98	CACT	ORD	PRE-TRIAL #53 - SIG BY JDG J.W. KOZLOSKI! SCA	0	1316
03/09/98	CACT	POS	WILLIAM L. NAGLE, THOMAS A. MILLER, ETAL SRVD	5	1321
03/09/98	CACT		PRE-TRIAL ORD #53 ON 3/5/98 BY M UF	0	1321
03/16/98	CEVN	SET	SETTLEMENT CONFERENCE	7	1328
03/16/98	CACT	ORD	PRE-TRIAL # 54 (MSC 3/16 & 3/17 AT 800 NO.	0	1328
03/16/98	CACT		HUMBOLT) SIG BYB JDG JUDITH KOZLOSKI 3/10/98! S	0	1328
03/17/98	CEVN	SET	/ASSIGNED TO WILLIAM NAGLE- TO BE HELD IN COURTRO	1	1329
03/20/98	CACT	ORD	PRE TRIAL ORD #55 SIG BY JDG KOZLOSKI 3-17-98! NM	3	1332
03/25/98	CACT	POS	WILLIAM L NAGLE, THOMAS A MILLER, ETAL (SEE SRVC	5	1337
03/25/98	CACT		LIST) SRVD PRE-TRIAL ORD #54 ON 3/19/98 BY M UF	0	1337
03/26/98	CACT	AOC	THE LAW FIRM OF ARCHER, MC COMAS, BRESLIN,	1	1338
03/26/98	CACT		MC MAHON & CHRITTON IS HEREBY ASSOCIATED WITH	0	1338
03/26/98	CACT		TIMOTHY FOGARTY OF THE LAW FIRM OF PANDELL &	0	1338
03/26/98	CACT		BORSUK ON BEHALF OF DEFT CARLOS RODRIGUEZ	0	1338
03/26/98	CACT		PAINTING W/POS! NMC	0	1338
03/27/98	CACT	POS	"SEE SERVICE LIST" SRVD PRE-TRIAL ORD # 55	1	1339
03/27/98	CACT		ON 3/25/98 BY M! SCA	0	1339
04/15/98	CEVN	HEA	SETTLEMENT HEARING	19	1358
04/23/98	CACT	DSM	ENTD 5-8, AS TO DEFT SACRAMENTO A-1 DOOR	8	1366
04/23/98	CACT		ONLY W/O PREJ! MS	0	1366
05/08/98	CACT	ORD	RE SETTLEMENT SIG BY JDG KOZLOSKI 5-7-98! FM	15	1381
05/14/98	CEVN	207	MANDATORY SETTLEMENT CONFERENCES (5/26/98)	6	1387
05/15/98	CACT	ORD	PRE-TRIAL #57 SGD JDG KOZLOSKI 5-14-98 MS	1	1388
05/15/98	CACT	ORD	PRE-TRIAL #56 SGD JDG KOZLOSKI 5-14-98 MS	0	1388
05/18/98	CACT	NTC	OF ENTRY OF DISMISSAL & POS! SEA	3	1391
05/19/98	CACT	NTC	BY PLTF OF VACATION; OF 5-14-98 MANDATORY	1	1392
05/19/98	CACT		SET CONF; & SETTING OF STATUS REVIEW HRG	0	1392
05/19/98	CACT		W/POS! DR	0	1392
05/21/98	CACT	POS	(SEE SERV LIST)SVD COPIES OF PRE-TRIAL ORDER	2	1394
05/21/98	CACT		NO.56 & 57 - W/POS M ! AD	0	1394
05/26/98	CEVN	TRI	/PER CHRIS BRITTAN, WM. NAGLE, SHE WILL NOTICE	5	1399
06/09/98	CACT	POS	(SEE SERV LIST)SVD COPIES OF ORD RE SETTLEMENT	14	1413
06/09/98	CACT		ON 6-5-98 W/POS M ! AD	0	1413
06/18/98	CACT	ORD	AMNDMT 2 ORD RE SETTLEMENT SIG BY JDG KOZLOSKI	9	1422
06/18/98	CACT		6-18-98! DR	0	1422
06/23/98	CACT	POS	WILLIAM L NAGLE, ET AL (SEE SRVC LIST) SRVD	5	1427
06/23/98	CACT		AMNDMNT 2 ORD RE SETTLEMENT 6/19/98 BY M !AD	0	1427
07/01/98	CACT	ORD	AMENDEMENT 2 ORD RE: SETTLEMENT BY KOZLOSKI 6-22-	8	1435
07/20/98	CACT	MOT	ANDEN GROUP'S MOT RE DETERMINE GOOD FAITH	19	1454
07/20/98	CACT		SETTLEMENT, MEMO OF P & A AND DEC !TP	0	1454
07/20/98	CACT	FPD	23.00 FOR MOTION BY ANDEN GROUP TO BE HEARD	0	1454
07/20/98	CACT		8-31-98!TP	0	1454

07/28/98	CACT	DSM	COM AS TO SIERRA LUMBER ONLY 8-7-98 W/PREJ! NM	8	1462
07/29/98	CEVN	MOT	JOINT MOTION FOR GOOD FAITH SETTLEMENT	1	1463
07/31/98	CACT	ORD	PRE-TRIAL ORD #58 SIG BY JDG KOZLOSKI 7-29-98!FM	2	1465
08/06/98	CACT	POS	PRE-TRIAL ORDER NO 58 SRVS BY M 8-3-98:	6	1471
08/06/98	CACT		SEE ATTACHED SERVICE LIST !TP	0	1471
08/07/98	CEVN	CMC	STATUS REVIEW/CASE MANAGEMENT CONF	1	1472
08/07/98	CACT	DSM	REQUEST RECEIVED! SEA	0	1472
08/07/98	CACT		W/PREJ! SEA	0	1472
08/10/98	CACT	NTC	OF PENDING SUBSTITUTION OF COUNSEL W/POS! SEA	3	1475
08/10/98	CACT	MOT	RUTH & GOING, INC'S AND MELVIN LEE ASSOC JOINDER	0	1475
08/10/98	CACT		WITH ANDEN'S MOTION FOR DETERMINATION OF	0	1475
08/10/98	CACT		GOOD FAITH SETTLEMENT TO BE HEARD 8-31-98 !TP	0	1475
08/11/98	CACT	DSM	OF DEEMED & ACTUAL XCMPLS OF O'BRIEN & HICKS, ET	1	1476
08/26/98	CACT	NTC	OF ENTRY OF DISMISSAL & POS! SEA	15	1491
08/31/98	CEVN	MOT	DE/XCM ANDEN GROUP'S NOT OF MOT AND MOT FOR DETER	5	1496
08/31/98	CEVN	MOT	DEFT/XDEFT RUTH & GOING, INC.'S AND MELVIN LEE AS	0	1496
09/23/98	CACT	DSM	REQ RCVD! DR	23	1519
09/23/98	CACT	DSM	ENTERED FOR XCM BY O'BRIEN & HICKS AS TO ANY &	0	1519
09/23/98	CACT		ALL CLAIMS AGAINST CARLOS RODRIGUEZ PAINTING	0	1519
09/23/98	CACT		ONLY W/PREJ! DR	0	1519
10/02/98	CACT	DSM	RCVD! DR	9	1528
10/07/98	CACT	DSM	RCVD! DR	5	1533
10/07/98	CACT	DSM	RCVD! DR	0	1533
10/09/98	CACT	DSM	ENTERED FOR XCM BY O'BRIEN & HICKS W/PREJ! DR	2	1535
10/14/98	CACT	DSM	NOT ENTERED FOR XCM AS TO ONLY FISK, FIRENZE	5	1540
10/14/98	CACT		FISK, FIRENZE & MCLEAN AS ENTIRE XCM WAS	0	1540
10/14/98	CACT		DISMISSED 10-9-98! DR	0	1540
10/14/98	CACT	DSM	NOT ENTERED 4 XCM BY O'BRIEN & HICKS AS TO ONLY	0	1540
10/14/98	CACT		DANIEL SMITH PLASTERING AS ENTIRE XCM WAS	0	1540
10/14/98	CACT		DISMISSED 10-9-98! DR	0	1540
02/08/99	CACT	COA	NOTICE OF COA FOR ATTY DFT THE ANDEN GROUP	117	1657
02/08/99	CACT		A CALIF. GENERAL PARTN. FAX# 510-596-0899 W/POS!	0	1657
02/22/99	CACT	ORD	2 SHOW CAUSE SET FOR 3-25-99 SIG JDG ELLIS 2-17-	14	1671
02/24/99	CACT	NTC	OF ENTRY OF DISMISSAL & POS!DS	2	1673
02/25/99	CACT	POS	SEE LIST OF ALL PARTIES SRV OST 2-22-99 BY M !RG*	1	1674
03/18/99	CACT	RSP	DANIEL SMITH PLASTERING'S BRIEF IN RESP TO	21	1695
03/18/99	CACT		OSC; DEC OF MICHAEL D BRUNO W/POS	0	1695
03/18/99	CACT		(HRG 3-25-99)! DR	0	1695
03/18/99	CACT	RSP	FISK, FIRENZE & MCLEAN'S BRIEF IN RESP TO OSC;	0	1695
03/18/99	CACT		DEC OF MICHAEL D BRUNO W/POS (HRG 3-25-99)!DR	0	1695
03/19/99	CACT	RSP	TO OSC; DEC OF GERALD E. BRUNN !TP	1	1696
03/19/99	CACT	ORD	CMC & ORDER TO SHOW CAUSE HEARING W/CERT OF	0	1696
03/19/99	CACT		MAILING!DS	0	1696
03/23/99	CACT	OSC	SIG BY JDG ELLIS 3-23-99 CON 3-25-99 OSC TO	4	1700
03/23/99	CACT		4-14-99! NM*	0	1700
03/23/99	CACT	OSC	RE SPECL MSTR FEES CONT TO 4-14-99 SIG BY JDG	0	1700
03/23/99	CACT		ELLIS 3-23-99! NM*	0	1700
03/25/99	CEVN	SOR	ORDER TO SHOW CAUSE RE: SPECIAL MASTER'S BILL - (	2	1702
03/31/99	CACT	DEC	OF ANTHONY J. DEMARIA IN RESPONSE TO OSC !TP	6	1708
03/31/99	CACT	POS	ALL PARTIES SRVS BY M: ORDER TO SHOW CAUSE !TP	0	1708
03/31/99	CACT	POS	S. MITCHELL KAPLAN ON 3-24-99 BY M:ORDER	0	1708
03/31/99	CACT		TO SHOW CASE RE:SPECIAL MASTER FEES !TP	0	1708
04/09/99	CACT	MIS	DEFTS/XDEFTS RUTH & GOING INC AND MELVIN LEE	9	1717
04/09/99	CACT		ASSOCIATES OSC STATMENT W/POS (HRG 4-14-99) !RG	0	1717

04/12/99	CACT	DEC OF JOHN J. CARNIATO RE: OSC (HRG 4-14-99)! AC	3	1720
04/13/99	CACT	MIS PLTF EDGEWATER ISLE NORTH HOMEOWNERS ASSOC'S	1	1721
04/13/99	CACT	OSC STMT & NTC OF LODGEMENT OF SIGNATURE	0	1721
04/13/99	CACT	PAGES 2 GLOBAL SETTLEMENT AGREEMENT (HRG	0	1721
04/13/99	CACT	4-14-99)! AC	0	1721
04/14/99	CEVN	SOR ORDER TO SHOW CAUSE RE: SPECIAL MASTER'S BILL - (	1	1722
04/14/99	CEVN	SOR ORDER TO SHOW CAUSE RE WHY PARTIES HAVE NOT SIGNE	0	1722
07/13/99	CACT	DSM ENTERED 7-13-99 4 COM AS TO DANIEL SMITH	90	1812
07/13/99	CACT	PLASTERING & FISKE,FIRENZE & MCLEAN ONLY	0	1812
07/13/99	CACT	W/PREJ! VL	0	1812
07/16/99	CACT	DSM ENTERED 7-19-99 4 THE XCM FILED 8-25-95 BY	3	1815
07/16/99	CACT	THE ANDEN GROUP,ET AL W/PREJ! VL	0	1815
09/23/99	CEVN	HEA DISMISSAL HEARING	69	1884

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
J. Scott Wood (SBN 136306) BISHOP, BARRY, HOWE, HANEY & RYDER 2000 Powell Street, Suite 1425 Emeryville, CA 94608	(510) 596-0888	FILED SAN MATEO COUNTY JUL 16 1999 Clerk of the Superior Court By DEPUTY CLERK
ATTORNEY FOR (Name): Cross-Complainants THE ANDEN GROUP, et al.		
Insert name of court and name of judicial district and branch court, if any: SAN MATEO COUNTY SUPERIOR COURT		
PLAINTIFF/PETITIONER: EDGEWATER ISLE HOMEOWNERS ASSOCIATION DEFENDANT/RESPONDENT: THE ANDEN GROUP, et al.		

9/23 TR #12

REQUEST FOR DISMISSAL

- ☐ Personal Injury, Property Damage, or Wrongful Death
  - ☐ Motor Vehicle ☐ Other
- ☐ Family Law
- ☐ Eminent Domain
- ☒ Other (specify): Indemnities, etc.

CASE NUMBER: 388872

— A conformed copy will not be returned by the clerk unless a method of return is provided with the document. —

1. **TO THE CLERK:** Please dismiss this action as follows:
   a. (1) ☒ With prejudice (2) ☐ Without prejudice

BY FAX

Filed By Fax & File

   b. (1) ☐ Complaint (2) ☐ Petition
   (3) ☒ Cross-complaint filed by (name): THE ANDEN GROUP, et al. on (date): 8/25/95
   (4) ☐ Cross-complaint filed by (name): on (date):
   (5) ☐ Entire action of all parties and all causes of action
   (6) ☐ Other (specify):*

Date: July 15, 1999

J. SCOTT WOOD
(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

▶ J. Scott Wood
(SIGNATURE)

Attorney or party without attorney for:
☐ Plaintiff/Petitioner ☒ Defendant/Respondent
☒ Cross-complainant

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

2. **TO THE CLERK:** Consent to the above dismissal is hereby given.**
Date:

▶
(SIGNATURE)

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

Attorney or party without attorney for:
☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-complainant

** If a cross-complaint—or Response (Family Law) seeking affirmative relief—is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(To be completed by clerk)

3. ☐ Dismissal entered as requested on (date):
4. ☒ Dismissal entered on (date): JUL 19 1999 as to only (name): SEE ABOVE
5. ☐ Dismissal not entered as requested for the following reasons (specify):

6. ☐ a. Attorney or party without attorney notified on (date):
   b. Attorney or party without attorney not notified. Filing party failed to provide
   ☐ a copy to conform ☐ means to return conformed copy

PEGGY THOMPSON

Date: JUL 19 1999 Clerk, by Deputy

Edgewater Isle HOA, Inc., et al. v. The Anden Group, et al.
San Mateo County Superior Court No. 388872
Our File: 483-95105

PROOF OF SERVICE

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within action. My business address is Bishop, Barry, Howe, Haney & Ryder, 275 Battery Street, 12th Floor, San Francisco, California 94111.

I am familiar with Bishop, Barry, Howe, Haney & Ryder's practice whereby each document is placed in an envelope, the envelope is sealed, the appropriate postage is placed thereon, and the sealed envelope is placed in the office mail receptacle. Each day the mail is collected and deposited in a United States Postal mailbox at or before the close of business each day.

On July 16, 1999 I served the following documents:

REQUEST FOR DISMISSAL - The Anden Group's Cross-Complaint

X (BY REGULAR MAIL) By placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the designated area for outgoing mail at San Francisco, California, addressed as set forth below:

SEE ATTACHED PROOF OF SERVICE LIST.

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

Executed on July 16, 1999 at San Francisco, California.

Sarah K. Yoon

Bishop, Barry, Howe, Haney & Ryder, P.C.
2000 Powell, Suite 1425
Emeryville, California 94608
Facsimile (510) 596-0899
Telephone (510) 596-0888

Edgewater Isle HOA, Inc., et al. v. The Anden Group, et al.
San Mateo County Superior Court No. 388872
Our File: 483-95105

SERVICE LIST

William L. Nagle, Esq. LAW OFFICES 345 Lorton Avenue, Suite #204 Burlingame, California 94010-4116 Telephone: (415) 579-0500 Facsimile: (415) 579-0623	Special Master
★ Thomas E. Miller, Esq. TEM/TEM Bruce Mayfield, Esq. LAW OFFICES 4685 MacArthur Court, Suite 220 Newport Beach, CA 92660 Telephone: (949) 252-9150 Facsimile: (949) 442-0646	Attorneys for Plaintiff EDGEWATER ISLE HOA, Inc.
John J. Carniato, Esq. JJC1/JJC Thorsten Pray, Esq. LAW OFFICES OF JOHN J. CARNIATO 3736 Mt. Diablo Blvd., Suite 300 Lafayette, CA 94549 Telephone: (510) 283-1552 Facsimile: (510) 283-9830	Attorneys for Defendants and Cross-Complainants GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California Corporation, and O'BRIEN & HICKS 1988 & BEYOND, LTD.
★ Robert W. Cullen, Esq. HFJA/RWC HOGE, FENTON, JONES & APPEL, INC. Sixty South Market Street San Jose, CA 95113-2396 Telephone: (408) 287-9501 Facsimile: (408) 287-2583	Attorneys for Defendant O'BRIEN & HICKS, INC., GLORIA DEVELOPMENT CO., INC., and O'BRIEN & HICKS (S) 1988 & BEYOND, LTD.
J. Michael Higginbotham, Esq. LL1/JMH John Bevan, Esq. LONG & LEVIT 101 California Street, Suite 2300 San Francisco, CA 94111 Telephone: (415) 397-2222 Facsimile: (415) 397-6392	Attorneys for Cross-Defendants MELVIN LEE & ASSOCIATES and RUTH & GOING, INC.
Philip Y. Kazan, Esq. SGDT/PYK RUSSELL, KAZAN, BRENNER & MALLETT 343 Sansome Street, Suite 525 San Francisco, CA 94104 Telephone: (415) 956-5841 Facsimile: (415) 956-0708	Attorneys for Cross-Defendant C. APARICIO CEMENT

Bishop, Barry, Howe, Haney & Ryder, P.C.
2000 Powell, Suite 1425
Emeryville, California 94608
Facsimile (510) 596-0899
Telephone (510) 596-0888

1	Chester Moore, Esq. LBL/CGM LOW, BALL & LYNCH 10 Twin Dolphin Drive, Suite B-500 Redwood City, CA 94065 Telephone: (650) 591-8822 Facsimile: (650) 591-8884	Attorneys for Cross-Defendant AlCAL ROOFING & INSULATION
4	Maria Caruana, Esq. EDSN/MAC FORTUNE & DREVLOW 180 Montgomery St., Suite 2100 San Francisco, CA 94104-4205 Telephone: (415) 362-1422 Facsimile: (415) 362-7054	Attorneys for Cross-Defendant SACRAMENTO A-1 DOOR
8	Anthony J. DeMaria, Esq. FDI/AJD FELICE & DeMARIA 1130 Burnett Ave., Bldg. D, Suite H Concord, CA 94520 Telephone: (510) 676-5094 Facsimile: (510) 676-0548	Attorneys for Cross-Defendant GONSALVES & SANTUCCI, INC., dba CONCO CEMENT COMPANY
11	Albert P. Blake, Esq. RSH/APB ROGER, SCOTT & HELMER 900 Veterans Blvd., Suite 430 Redwood City, CA 94063 Telephone: (650) 365-7700 Facsimile: (650) 365-0677	Attorneys for Cross-Defendant TARA COATINGS, INC.
15	☆ Norman La Force, Esq. FRA/NL LAW OFFICES OF F. ROSS ADKINS 25 Pacific Avenue Mall San Francisco, CA 94111 Telephone: (415) 981-5200 Facsimile: (415) 981-2097	Attorneys for Cross-Defendant TARA COATINGS
18	S. Mitchell Kaplan, Esq. Michael Bruno, Esq. GRZ/SMK GORDON & REES 275 Battery Street, 20th Floor San Francisco, CA 94111 Telephone: (415) 986-5900 Facsimile: (415) 986-8054	Attorneys for Cross-Defendants FISK, FIRENZE & McCLEAN and DANIEL SMITH PLASTERING, INC.
22	Donald L. Sullivan, Esq. CMB01/DLS Clapp, Moroney, Bellagamba, Davis & Vucinich 4400 Bohannon Drive, Suite 100 Menlo Park, CA 94025 Telephone: (650) 327-1300 Facsimile: (650) 327-3707	Attorneys for Cross-Defendants MISSION DRYWALL OF SAN JOSE and SILVA FENCE COMPANY, and Defendant TECHNIBUILDERS IRON
26	☆ David N. Poll, Esq. CSR/BNP COLLINS & SCHLOTHAULER 60 South Market Street, Suite 1100 San Jose, CA 95113-2369 Telephone: (408) 298-5161 Facsimile: (408) 297-5766	Attorneys for Cross-Defendant SILVA FENCE CO.

Bishop, Barry, Howe, Haney & Ryder, P.C.
2000 Powell, Suite 1425
Emeryville, California 94608
Facsimile (510) 596-0899
Telephone (510) 596-0888

1	Jeffrey L. Borsuk, Esq. BORSUK & ASSOCIATES 2033 N. Main Street, Suite 450 Walnut Creek, CA 94596-3722 Telephone: (925) 937-4400 Facsimile: (925) 937-4450	Attorneys for Defendant CARLOS RODRIGUEZ PAINTING
4	Helen Baumann, Esq. Law Offices of EUGENE L. BASS ELB/HBB 495 Seaport Court, Suite 103 Redwood City, CA 94063 Telephone: (650) 361-1199 Facsimile: (650) 369-4984	Attorneys for Cross-Defendant SAN CARLOS SHEET METAL WORKS
8	Don Fornasier, Esq. Rand L. Chritton, Esq. AMBMC/DBF June P. Bashant, Esq. ARCHER, McCOMAS, BRESLIN, McMAHON & CHRITTON 2033 North Main Street, Suite 800 Walnut Creek, CA 94596 Telephone: (510) 930-6600 Facsimile: (510) 930-6620	Attorneys for Cross-Defendant CARLOS RODRIQUEZ PAINTING
13	Susan P. Grey, Esq. DI/SPG DOMINION LAW GROUP 1155 N. First Street, Suite 101 San Jose, CA 95112 Telephone: (408) 288-5592 Facsimile: (408) 938-1035	Attorneys for Defendant B.L. COHEN LANDSCAPE
16	David S. Henningsen, Esq. ROBINSON & WOOD RW/DSH 227 North First Street San Jose, CA 95113 Telephone: (408) 298-7120 Facsimile: (408) 298-0477	Attorneys for Defendant B.L. COHEN LANDSCAPE
20	Don Fornasier, Esq. June P. Bashant, Esq. AMBMC/DBF ARCHER, McCOMAS, BRESLIN, McMAHON & CHRITTON 2033 North Main Street, Suite 800 Walnut Creek, CA 94596 Telephone: (510) 930-6600 Facsimile: (510) 930-6620	Attorneys for Cross-Defendants C. APARICIO CEMENT, Defendant B.L. COHEN LANDSCAPE and CARLOS RODRIQUEZ PAINTING
24	Howard L. Churchill, Esq. SS16/HLC Lynn M. Diringer, Esq. SCHOFIELD & SCHILLER 100 Pringle Avenue, Suite 510 Walnut Creek, CA 94596 Telephone: (510) 934-3600 Facsimile: (510) 934-2257	Attorneys for Defendant SIERRA LUMBER & FENCE COMPANY

Bishop, Barry, Howe, Haney & Ryder, P.C.
2000 Powell, Suite 1425
Emeryville, California 94608
Facsimile (510) 596-0899
Telephone (510) 596-0888

ZKCF/AHF

Alan H. Finkel, Esq.
ZIMMERMAN, KOOMER, CONNOLLY & FINKEL
10960 Wilshire Blvd., Suite 1225
Los Angeles, CA 90024
Telephone: (310) 231-6565
Facsimile: (310) 231-6566

Attorneys for Defendant and Cross-Complainant THE ANDEN GROUP (Personal Counsel)

Bishop Barry, Howe, Haney & Ryder, P.C.
2000 Powell, Suite 1425
Emeryville, California 94608
Facsimile (510) 596-0899
Telephone (510) 596-0888

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	TELEPHONE NO	FOR COURT USE ONLY
THOMAS E. MILLER (SBN 057821) BRUCE MAYFIELD (SBN 057730) LAW OFFICES OF THOMAS E. MILLER 4695 MacArthur Court, Suite 1150 Newport Beach, CA 92660 ATTORNEY FOR (Name): Plaintiff	(949) 252-3150	FILED SAN MATEO COUNTY JUL 13 1999 Clerk of the Superior Court By DEPUTY CLERK
INSERT NAME OF COURT AND NAME OF JUDICIAL DISTRICT AND BRANCH COURT, IF ANY SAN MATEO COUNTY SUPERIOR COURT		
PLAINTIFF/PETITIONER: EDGEWATER ISLE HOA DEFENDANT/RESPONDENT: THE ANDEN GROUP, et al.		
REQUEST FOR DISMISSAL ☐ Personal Injury, Property Damage, or Wrongful Death ☐ Motor Vehicle ☐ Other ☐ Family Law ☐ Eminent Domain ☒ Other (specify): Construction Defect		CASE NUMBER 388872

— A conformed copy will not be returned by the clerk unless a method of return is provided with the document. —

1. **TO THE CLERK:** Please dismiss this action as follows:
   a. (1) ☒ With prejudice (2) ☐ Without prejudice
   b. (1) ☒ Complaint (2) ☐ Petition
      (3) ☐ Cross-complaint filed by (name): on (date):
      (4) ☐ Cross-complaint filed by (name): on (date):
      (5) ☐ Entire action of all parties and all causes of action
      (6) ☒ Other (specify): As to DANIEL SMITH PLASTERING and FISKE, FIRENZE & McLEAN only, each party to bear its own costs.

Date July 8, 1999

THOMAS E. MILLER
(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

▶ Th E. Mill
(SIGNATURE)

Attorney or party without attorney for: Plaintiff

* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed

☒ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-complainant

2. **TO THE CLERK:** Consent to the above dismissal is hereby given **
Date.

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

▶
(SIGNATURE)

Attorney or party without attorney for

** If a cross-complaint – or Response (Family Law) seeking affirmative relief – is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Cross-complainant

(To be completed by clerk)

3. ☐ Dismissal entered as requested on (date):
4. ☒ Dismissal entered on (date): JUL 13 1999 as to only (name): SEE ABOVE
5. ☐ Dismissal not entered as requested for the following reasons (specify):

6. ☐ a. Attorney or party without attorney notified on (date):
   b. Attorney or party without attorney not notified. Filing party failed to provide
      ☐ a copy to conform ☐ means to return conformed copy

Date: JUL 13 1999 PEGGY THOMPSON Clerk, by , Deputy

Jul-08-99 10:37am From-Law Offices of Thomas E. Miller T-960 P.02/02 F-070

RECEIVED
JUL 13 1999
CLERK OF THE SUPERIOR COURT
SAN MATEO COUNTY

GORDON & REES, LLP

MAY 17 1999
RECEIVED
MAY 17 1999
DEPT. No. 12

ATTORNEYS AT LAW
EMBARCADERO CENTER WEST
275 BATTERY STREET
TWENTIETH FLOOR
SAN FRANCISCO, CA 94111
PHONE: (415) 986-5900
FAX: (415) 986-8054

MICHAEL D. BRUNO
MBRUNO@GORDONREES.COM

May 12, 1999

William L. Nagle
Special Master
345 Lorton Avenue, Suite 204
Burlingame, CA 94010-4116

Re: ***Edgewater Isle HOA v. The Anden Group, et al.***
San Mateo County Superior Court
Civil Action No. 388 872

Dear Special Master Nagle:

Enclosed please find a copy of the signature page for Daniel Smith Plastering in this case. This letter and signature page concludes Daniel Smith Plastering's participation in this case with the exception of the money that is still owed by Daniel Smith Plastering to you for the work you performed.

While the question of whether or not Daniel Smith Plastering's insurers are responsible for the $381 still owed to you is a coverage question not appropriate for defense counsel, if I can be of assistance in arranging conference calls or bringing the parties together to meet, I am happy to do so.

If you have any questions or comments, please do not hesitate to call me.

Very truly yours,

GORDON & REES, LLP

Michael D. Bruno

Enclosure
cc: All counsel
Judge James Ellis

L:\COVERAGE\CLIENT\WAU\57-141\CORRESP\NAGLE3.MB

or are connected with, or caused by, the subject PROJECT including, but not limited to, the design, construction, repair and sale of the PROJECT, the cost of repair associated therewith and all issues related thereto.

Dated: _____, 1999.

FISKE, FIRENZE & McLEAN

By_____
Its: _____

Dated: 5/12/99, 1999.

GORDON & REES

By_____
Michael D. Bruno
Attorneys for Fiske, Firenze & McLean

Dated: 5/10, 1999.

DANIEL SMITH PLASTERING

By_____
Its: Pres

Dated: 5/12/99, 1999.

GORDON & REES

By_____
Michael D. Bruno
Attorneys For Daniel Smith Plastering

Dated: _____, 1999.

CONCO CEMENT COMPANY

By_____
Its: _____

Dated: _____, 1999.

FELICE & DeMARIA

By_____
Anthony DeMaria
Attorneys for Conco Cement Company

L:\COVERAGE\CLIENT\WAU\57-141\CORRESP\EXHIBIT.B

ARCHER
McCOMAS
BRESLIN
McMAHON
& CHRITTON
A Professional Law Corporation

2033 NORTH MAIN STREET, SUITE 800
P.O. BOX 8035
WALNUT CREEK, CALIFORNIA 94596

TELEPHONE (925) 930-6600
FACSIMILE (925) 930-6620

LEE A. ARCHER
WILLIS F. McCOMAS
H. PAUL BRESLIN
TIMOTHY M. McMAHON
RAND L. CHRITTON
WILLIAM H. STAPLES
KENNETH C. WARD
RODERICK D. JONES
ERIC G. LUNDBERG
W. ERIC BLUMHARDT
JON P. TONSING
JUDITH D. ANDERSON
JULIE A. WELSH
STEPHEN B. WELCH
JOSEPH C. WRIGHT
DONALD B. FORNASIER
ROBERT G. SEEDS
MARK S. COON
DEBORAH K. WEISS
TOBY M. MAGARIAN
EUGENE C. BLACKARD, JR.
SEAN D. WHITE
NANDOR B. KRAUSE
ANDRÉ R. HILL
MARK C. PHILLIPS
CRAIG S. JONES
LUANNE RUTHERFORD
ELIZABETH S. KIM
CARRIE L. SMITH
LINDA H. WYNER
JOHN M. BEALL
JUNE P. BASHANT
REYNOLD M. MARTINEZ
AMY S. HUTCHINS
STEVEN J. BLEASDELL
GREGORY O. BEDARD
KIMBERLY M. AMICK

Of Counsel
ERNEST B. LAGESON

Southern California

3401 CENTRELAKE DRIVE
SUITE 650
ONTARIO, CALIFORNIA 91761

TELEPHONE (909) 390-5609
FACSIMILE (909) 390-5629

AUTHOR'S E-MAIL:
wstaples@archernet.com

June 11, 1999

Via Facsimile No. (650) 363-4698
The Honorable James H. Ellis
San Mateo County Superior Court
400 County Center
Redwood City, CA 94063

To file #388872, wrong #

RE: ***Safeco Insurance Company of America v. Mission Drywall***
San Mateo County Superior Court Action No. CV763433
Dismissal Hearing: 6/24/99, 10:00 a.m.

Dear Judge Ellis:

I represent Safeco Insurance Company in the above-captioned matter. This is a declaratory relief action regarding insurance coverage.

The underlying action entitled "*Edgewater Isle Homeowners Association v. The Anden Group, et al.*," San Mateo County Superior Court Action No. 388873, was settled last year. As of this date, the Release and Settlement Agreement has not been fully executed and the dismissals of the action have not been filed. As soon as the closing documents are complete and the dismissals filed, the subject action will also be dismissed.

Therefore, the parties respectfully request that the dismissal hearing be continued around 90 days, to September 23, 1999 at 10:00 a.m., in Department 12.

OK **H. JAMES ELLIS**

Your courtesy and cooperation in this matter will be greatly appreciated.

Very truly yours,

ARCHER, McCOMAS,
BRESLIN, McMAHON & CHRITTON

William H. Staples (cs)
William H. Staples

JUN 14 1999

WHS:cs
cc: Thomas E. Miller, Esq./*fax # (949) 442-0646*
Thomas O. Haran, Esq./*fax # (510) 596-0899*
Paul R. H. Walker, Esq./*fax # (415) 982-2042*

—TCT to atty Staples. LMW/atty Carol + advised of above. ls

Case #388872

In and for the Superior and Municipal Courts of California
County of San Mateo

Judge: H. James Ellis	Dept.: 12	Clerk: Leticia Stenson
Case Number: 388872		Court Reporter: Jenell Mullane

Date: April 14, 1999

(Title of Action)
EDGEWATER ISLE HOMEOWNERS ASSOC., ET AL.

vs.
THE ANDEN GROUP, ET AL.

(Appearances)
No Appearance

John J. Carniato for Defendant, O'Brien & Hicks; Mitch Alward for Defendant, The Anden Group; Gerald Brunn, specially appearing for ;Tony DeMaria for Defendant, Conco Cement; Mike Bruno for Defendants, Fisk, Firenze & McClean and Dan Smith Plastering.

Nature of Proceedings: (1) OSC re Sp. Master's Bill; (2) OSC re Why Parties Have Not Signed Settlement Agreement

An in chambers conference was held between the Court and above-referenced counsel.

Case called. Counsel appeared as stated above.
RE: OSC re Special Master's Bill:
Counsel for C.N.A. Insurance addressed the Court and stated his objection to the payment allocated to Dan Smith Plastering by the Special Master. Counsel for Defendant, Dan Smith Plastering, also addressed the Court and argued his objection to the payment allocated to Dan Smith Plastering by the Special Master. Matter submitted. The Court ordered Dan Smith Plastering to pay the Special Master's bill in the amount of $381.96 within 30 days from today's date (May 16, 1999).

RE: OSC re Why Parties Have Not Signed Settlement Agreement:
Counsel for Defendant, Conco Cement, addressed the Court and stated his objection to 4.3 of the Agreement regarding O'Brien & Hicks being released. Counsel for Defendant, O'Brien& Hicks addressed the Court regarding the Agreement. Counsel resolved the matter and attorney (Bruno) for Fisk, Firenze & McClean will prepare and submit an order approved by counsel no later than 30 days from today (May 16, 1999).

Court adjourned.

WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVENUE, SUITE 204
BURLINGAME, CA 94010
(650) 579-0500
FAX (650) 579-0623

April 13, 1999

VIA FACSIMILE
To: (650) 363-4698
Pages: 2

The Honorable H. James Ellis
Presiding Judge of the Superior Court
Superior and Municipal Courts
of San Mateo County
400 County Center
Redwood City, CA 94063

RE: *Edgewater Isle HOA v. The Anden Group, et al.*
Case No: 388872
Our File No: 5074

Hearing on Order to Show Cause Re Settlement Agreement
April 14, 1999 at 9:30 a.m. in Dept. 12

Dear Judge Ellis:

The following parties and counsel have complied with the Order to Show Cause dated March 23, 1999, and should be excused from the hearing on April 14, 1999 at 9:30 a.m.:

Edgewater Isle HOA
Sierra Lumber & Fence Company

Law Offices of Thomas Miller	(Edgewater Isle HOA)
Long & Levit	(Melvin lee Associates
Long & Levit	(Ruth & Going, Inc.)
Russell, Kazan, Brenner & Mallett	(C. Aparicio Cement)
Low, Ball & Lynch	(Alcal Roofing & Insulation)
Archer, McComas, Breslin McMahon & Chritton	(C. Aparicio Cement)
Archer, McComas, Breslin McMahon & Chritton	(B.L. Cohen Landscape)
Schofield & Schiller	(Sierra Lumber)
Clapp, Moroney, Bellagamba Vucinich & Davis	(Technibuilders Iron)

The following parties have filed responsive pleadings:

O'Brien & Hicks, Inc.
Conco Cement Company
Fisk, Firenze & McLean
Daniel Smith Plastering, Inc.

If you have any questions, please feel free to contact us.

Respectfully yours,

Christine L. Britton
Secretary to
William L. Nagle, Esq.

/cb

cc: Thomas A. Miller, Esq.
J. Scott Wood, Esq.
John J. Carniato, Esq.
Chester G. Moore, III, Esq.
Philip Y. Kazan, Esq.
Donald B. Fornasier, Esq.
S. Mitchell Kaplan, Esq.
Anthony J. DeMaria, Esq.
John Bevan, Esq.
Donald L. Sullivan, Esq.
Howard L. Churchill, Esq.

LAW OFFICES OF THOMAS E. MILLER
Thomas E. Miller / Bar #057821
Bruce Mayfield / Bar #057730
4685 MacArthur Court, Suite 220
Newport Beach, CA 92660
(949) 252-9150 FAX (949) 442-0646

Attorneys for Plaintiff

FILED
SAN MATEO COUNTY
APR 13 1999
Clerk of the Superior Court
By Amy Cunalla
DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

FILE VIA FAX

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, Plaintiff, vs. THE ANDEN GROUP, et al., Defendants. AND RELATED CROSS-ACTIONS.	CASE NO. 388872 PLAINTIFF EDGEWATER ISLE NORTH HOMEOWNERS ASSOCIATION'S OSC STATEMENT AND NOTICE OF LODGMENT OF SIGNATURE PAGES TO GLOBAL SETTLEMENT AGREEMENT Date: April 14, 1999 Time: 9:30 a.m. Dept: Presiding Judge 12 filed per DS.

Plaintiff, EDGEWATER ISLE NORTH HOMEOWNERS ASSOCIATION, having submitted their respective signature pages, true and correct copies of which are lodged herewith as Exhibits "A" and "B" respectively. These documents were previously transmitted to counsel for The Anden Group at the firm of Bishop, Barry, Howe & Ryder.

The OSC notice from the Court and Special Master William Nagle, filed on March 23, 1999, provides that appearances are not necessary for parties who have submitted their signature pages

prior to the date of the OSC hearing. Having submitted these executed signature pages, no appearances are necessary by principals and counsel for Edgewater Isle North Homeowners Association.

DATED: APRIL 12, 1999

LAW OFFICES OF THOMAS E. MILLER

By: T. E. Miller
THOMAS E. MILLER,
Attorneys for Plaintiff
EDGEWATER ISLE NORTH
HOMEOWNERS ASSOCIATION

APPROVED AS TO FORM:

LAW OFFICES OF THOMAS MILLER

DATED: December 9, 1998

By: _____
Thomas E. Miller, Esq.
Bruce Mayfield, Esq.
Attorneys for Plaintiff
EDGEWATER ISLE HOA, Inc.

LAW OFFICES OF JOHN J. CARNIATO

DATED: _____, 1998

By: _____
John J. Carniato, Esq.
Attorneys for Defendants and Cross-Complainants GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California Corporation, and O'BRIEN & HICKS 1988 & BEYOND, LTD.

HOGE, FENTON, JONES & APPEL, INC.

DATED: _____, 1998

By: _____
Robert W. Cullen, Esq.
Attorneys for Defendant
O'BRIEN & HICKS, INC., GLORIA DEVELOPMENT CO., INC., and O'BRIEN & HICKS (S) 1988 & BEYOND, LTD.

LONG & LEVIT

DATED: _____, 1998

By: _____
J. Michael Higginbotham, Esq.
John Bevan, Esq.
Attorneys for Cross-Defendants MELVIN LEE ASSOCIATES and RUTH & GOING, INC.

Exhibit "A"

SETTLING PARTIES

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC.

DATED: 12/9/, 1998 By: _____
Its: President

THE ANDEN GROUP, ESDEN PARTNERS, MDG ASSOCIATES, LTD., ESR CORPORATION, TMD CORPORATION, MIDEN CORPORATION and KLIENGBEIL, INC.

DATED: _____, 1998 By: _____
Its: _____

GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California Corporation, and O'BRIEN & HICKS 1988 & BEYOND, LTD.

DATED: _____, 1998 By: _____
Its: _____

MELVIN LEE ASSOCIATES

DATED: _____, 1998 By: _____
Its: _____

HUTH & GOING, INC.

DATED: _____, 1998 By: _____
Its: _____

Exhibit "B"

PROOF OF SERVICE
[C.C.P. Section 1013A(3)]

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 4685 MacArthur Court, Suite 220, Newport Beach, California 92660.

On APRIL 13, 1999, I served the document(s) described as: **PLAINTIFF EDGEWATER ISLE NORTH HOMEOWNERS ASSOCIATION'S OSC STATEMENT AND NOTICE OF LODGMENT OF SIGNATURE PAGES TO GLOBAL SETTLEMENT AGREEMENT** on the interested parties in this action by placing a true copy in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

__XX__ **BY U.S. MAIL** - As follows: I placed a true copy in a sealed envelope addressed as indicated above. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business. I am aware that on motion of the 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 in affidavit.

____ **PERSONAL SERVICE** - I placed the copies in a sealed envelope addressed as indicated above and caused such envelope to be delivered by hand to the offices of the addressee.

____ **BY TELECOPIER** - I personally sent to the addressees' telecopier numbers attached hereto a true copy of the above-described document via facsimile transmission. Each transmission was reported as complete and without error. Each report was properly issued by the transmitting facsimile machine.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on APRIL 13, 1999 at Newport Beach, California.

DONNA LANE GIRARD

c:\CLIENTS\5010\POS.wpd

Edgewater Isle Homeowners Association v. The Anden Group, et al.

San Mateo Superior Court Case No. 388872

SERVICE LIST

William L. Nagle 345 Lorton Avenue, Suite 204 Burlingame, CA 94010-4116 (650) 579-0500\(650) 579-0623 (FAX) **SPECIAL MASTER**	Robert K. Phillips Shahab E. Fotouhi **Phillips & Spallas** 225 Bush Street, 16th Floor San Francisco, CA 94104 415/439-9840\Fax 415/439-8822 Attorneys for Defendant **PENINSULA FLOORS, INC.**
Marisa D'Amico Thomas O. Haran **Bishop, Barry, Howe, Haney & Ryder** A Professional Corporation Embarcadero Center West 275 Battery Street, 12th Floor San Francisco, CA 94111-3333 (415) 421-8550\Fax (415) 362-4730 Defendants and Cross-Complainants **THE ANDEN GROUP**	Donald B. Fornasier **Archer, McComas, Breslin, McMahon & Chritton** Post Office Box 8035 Walnut Creek, CA 94596 (510) 930-6600\(510) 930-6620 (FAX) Cross-Defendant **C. APRICIO CEMENT CONTRACTORS**
Thorsten J. Pray **Law Offices of John J. Carniato** 3736 Mt. Diablo Blvd., Suite 300 Lafayette, CA 94549 (510) 283-1552\(510) 283-9830 (FAX) Defendants and Cross-Complainants **GLORIA DEVELOPMENT CO., INC. and O'BRIEN & HICKS, INC., O'BRIEN & HICKS 1988 & BEYOND, LTD.**	Anthony J. DeMaria **Felice & DeMaria** 1130 Burnett Ave., Bld. D, Suite H Concord, CA 94520 (510) 676-6094\(510) 676-0548 (FAX) Cross-Defendant **GONSALVES & SANTUCCI, INC. dba CONCO CEMENT COMPANY**
John Shinnick **Hoge, Fenton, Jones & Appel** 60 South Market Street, 14th Floor San Jose, CA 95113 (408) 287-9501\(408) 287-2583 (FAX) Defendant **O'BRIEN & HICKS, INC.**	Michael Bruno, Esq. **Gordon & Rees** 275 Battery Street, 20th Floor San Francisco, CA 94111 (415) 986-5900\(415) 986-8054 (FAX) Cross-Defendant **FISK, FIRENZE & McLEAN; DANIEL SMITH PLASTERING, INC. and ASH ROOFING**
Albert Blake **Roger, Scott & Helmer** 900 Veterans Blvd., Suite 430 Redwood City, CA 94063 (415) 365-7700\(415) 365-0677 (FAX) Cross-Defendant **TARA COATINGS**	Joe Thompson Attorney at Law 981 Fremont Street Santa Clara, CA 95050 (408) 984-8555\(408) 292-1061 (FAX) Cross-Defendant **SIERRA LUMBER**

20632.1\3010\TEM

Norman La Force **Law Offices of F. Ross Adkins** 25 Pacific Avenue Mall San Francisco, CA 94111 (415) 981-5200\(415) 981-2097 (FAX) Co-Counsel Cross-Defendant **TARA COATINGS**	Howard L. Churchill **Schofield & Schiller** 100 Pringle Avenue, #510 Walnut Creek, CA 94596 (510) 934-3600\(510) 934-2257 (FAX) Cross-Defendant **SIERRA LUMBER**
Kevin J. Tully **Greene, Chauvel & Descalso** 902 Mariners Island Blvd., Suite 400 San Mateo, CA 94404-1594 (415) 573-9500\(415) 573-9689 (FAX) Cross-Defendants **SACRAMENTO A-1 DOOR**	Donald L. Sullivan **Clapp, Moroney, Bellagamba, Davis & Vucinich** 4400 Bohannon Drive, Suite 100 Menlo Park, CA 94025 (650) 327-1300\(650) 327-3707 (FAX) Cross-Defendant **MISSION DRYWALL OF SAN JOSE; SILVA FENCE COMPANY and TECHNIBUILDERS IRON, INC.**
Maria Caruana, Esq. **Fortune & Drevlow** 180 Montgomery Street, Suite 2100 San Francisco, CA 94104 (650) 362-1422\(650) 362-7054 (FAX) Co-Counsel for Cross-Defendant **SACRAMENTO A-1 DOOR**	David N. Poll **Collins & Schlothauer** 60 South Market Street, Suite 1100 San Jose, CA 95113-2369 (408) 298-5161\(408) 297-5766 (FAX) Co-Counsel for Cross-Defendant **SILVA FENCE COMPANY**
Helen B. Baumann **Law Offices of Eugene L. Bass** 495 Seaport Court, Suite 103 Redwood City, CA 94063 (650) 361-1199\(650) 369-4984 (FAX) Cross-Defendant **SAN CARLOS SHEET METAL WORKS, INC.**	Johnathan Margolis Chet Moore **Low, Ball & Lynch** 10 Twin Dolphin Drive, Suite B-500 Redwood City, CA 94065 (650) 591-8822\(650) 591-8884 Cross-Defendant **ALCAL ROOFING & INSULATION**
Gregory J. Patterson **Proskauer Rose** 2049 Century Park East, Suite 3200 Los Angeles, CA 90067 (310) 284-5650\(310) 557-2193 (FAX) Direct: (310) 284-5676 (Personal Counsel) **THE ANDEN GROUP**	J. Michael Higginbotham, Esq. **Long & Levit** 101 California Street, Suite 2300 San Francisco, CA 94111 415/397-2222\415/397-6392 (FAX) Attorneys for Cross-Defendant **RUTH & GOING and MELVIN LEE**
Philip Y. Kazan, Esq. **Russell, Kazan, Brenner & Mallett** 343 Sansome Street, Suite 525 San Francisco, CA 94104 415/956-5841\415/956-0708 (FAX) Attorneys for Cross-Defendant **C. APARICIO CEMENT**	Michael P. Quinlivan, Esq. **Kouns, Quinlivan & Severson** 101 Park Center Plaza, Suite 1007 San Jose, CA 95113 408/278-0125\408/292-1257 Attorneys for Defendant **SIERRA PRECAST**
Clay A. Coelho, Esq. **Law Offices of Charlotte Venner** 50 Fremont Street, Suite 801 San Francisco, CA 94105 415/778-4660\415/778-4690 (FAX) Attorneys for Cross-Defendant **T & D TILE COMPANY, INC.**	Paul E. Stephan, Esq. **Stephan & Conroy** 444 Market Street, Suite 2675 San Francisco, CA 94111 415/983-4740\Fax 415/296-1043 Co-Counsel for **T & D TILE COMPANY, INC.**

Paul Walker, Esq. **Adams, Nye, Sinunu & Walker** 633 Battery Street, 5th Floor San Francisco, CA 94111 415/982-8955\415/982-2042 (FAX) Attorneys for Cross-Defendant **MISSION DRYWALL**	
	Susan P. Grey **Dominion Law Group** 1155 N. First Street, Suite 101 San Jose, CA 95112 408/288-5592\Fax 408/938-1035 Attorneys for Defendant **B. L. COHEN LANDSCAPE**
Jeffery L. Borsuk James F. Blake **Pandell & Borsuk** 2033 N. Main Street, Suite 450 Walnut Creek, CA 94596-3722 510/746-8800\Fax 510/746-8898 Attorneys for Defendant **CARLOS RODRIGUEZ PAINTING**	David S. Henningsen, Esq. **Robinson & Wood, Inc.** 227 North First Street San Jose, CA 95113 408/298-7120\Fax 408/298-0477 Associate Attorneys for Defendant **B.L. COHEN LANDSCAPE, INC.**
William H. Staples, Esq. **Capps, Staples, Ward, Stephenson & Dodson** 1777 Botelho Drive, Suite 100 Walnut Creek, CA 94596 510/939-4411\510/939-5241 (FAX) Attorneys for Cross-Defendant **SAFECO INSURANCE COMPANY OF AMERICA**	Rand L. Chritton, Esq. Donald B. Fornasier, Esq. **Archer, McComas, Breslin, McMahon & Chritton** 2033 North Main Street, Suite 800 Peri Executive Centre P. O. Box 8035 Walnut Creek, CA 94596 510/930-6600\Fax 510/930-6620 Associate counsel for Defendant **B. L. COHEN LANDSCAPE**
Anthony Varni, Esq. **Varni Fraser Hartwell & Rodgers** 22771 Main Street Hayward, CA 94543-0570 510/886-5000\Fax 510/538-8797	Jillo & Associates, Document Depository c/o San Francisco Reporting Service 5 Third Street, Suite 815 San Francisco, CA 94103

28632.1\5010\PEM

JOHN J. CARNIATO (SB# 34567)
LAW OFFICES OF JOHN J. CARNIATO
3736 Mt. Diablo Blvd., Suite 300
Lafayette, CA 94549
(925) 283-1552
(925) 283-9830 [Fax]

Attorneys for Defendants and Cross-Complainants GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California corporation, O'BRIEN & HICKS(S) 1988 & BEYOND, LTD.

RECEIVED
APR 12 1999
DEPT. No. 12

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Telephone: (702) 898-7116
Facsimile: (702) 898-7158

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al.,

Plaintiff,

v.

THE ANDEN GROUP, et al,

Defendants.

_____/

AND RELATED CROSS-ACTION.

_____/

NO. 388872

DECLARATION OF JOHN J. CARNIATO RE: ORDER TO SHOW CAUSE

DATE: 4/14/99
TIME: 9:30 a.m.
DEPT.: Presiding Judge

I, JOHN J. CARNIATO, hereby declare.

1. I am an attorney at law duly licensed to practice before all courts of California and

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the Managing Partner in the Law Offices of John J. Carniato, attorneys of record for Defendants and Cross-Complainants GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California corporation, O'BRIEN & HICKS(S) 1988 & BEYOND, LTD. I have personal knowledge of the facts stated herein, and if called as a witness, I can and will testify competently to them.

2. I at all times have acted as counsel for O'BRIEN & HICKS relative to the EDGEWATER ISLE HOMEOWNERS litigation (hereinafter "EDGEWATER").

3. That over a period of years, I attended numerous Settlement Conferences under the auspices of William Nagle, Special Master, and at all times all parties were aware of the fact that my client, O'BRIEN & HICKS, INC. would not authorize its carriers, particularly Fireman's Fund Insurance Company and Scottsdale, to settle this case; further, that they were adamant that they would not sign any Settlement Agreements.

4. That Anthony Varni, personal counsel for O'BRIEN & HICKS, attended many of the same Conferences, and repeated in my presence, to all parties including Special Master Nagle, O'BRIEN & HICKS' vehement objections to settling the EDGEWATER litigation.

5. That the carriers for O'BRIEN & HICKS paid substantial monies in settling over the objections of O'BRIEN & HICKS, however, pursuant to the terms and conditions of the Contract of Insurance with which both Fireman's Fund and Scottsdale issued insuring O'BRIEN & HICKS, that Contract allowing such settlement without the insured's approval or consent.

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6. That at no time did a representative of O'BRIEN & HICKS have any authority to settle this litigation, and to my knowledge, at no time did any representative of O'BRIEN & HICKS make any representations to the contrary.

7. That I, having been advised of the fact that many subcontractors were "nervous" over O'BRIEN & HICKS' reluctance to sign the Agreement, indicated as follows:

a) That it is my understanding that O'BRIEN & HICKS did not sue, nor did they have a cause of action for express indemnity;

b) That the only causes of action for implied indemnity were those "deemed" cross-complaints, pursuant to Special Master Nagle's Orders, and that those had been dismissed;

c) That I indicated to all subcontractors that, to the extent they still felt there was some form of "phantom" cross-complaint outstanding, that I would issue Dismissals with Prejudice, some of which I have done for various subcontractors.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct, and was executed in Lafayette, California, on April 12, 1999.

JOHN J. CARNIATO

LAW OFFICES OF JOHN J. CARNIATO

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Facsimile: (702) 898-7158

PROOF OF SERVICE
[CCP Section 2015.5]

I am employed in the County of Contra Costa, State of California. I am over the age of 18 years and not a party to the within action. My business address is 3736 Mt. Diablo Blvd., Suite 300, Lafayette, California 94549.

On this date, I served the within document[s]:

1. **DECLARATION OF JOHN J. CARNIATO RE: ORDER TO SHOW CAUSE**

INDIVIDUAL[S] SERVED:

☼☼SEE ATTACHED SERVICE LIST☼☼

/ / **[BY MAIL]** I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Lafayette, California.

/ / **[BY PERSONAL SERVICE]** I caused each such envelope to be delivered by hand to the offices of each addressee above.

/xx / **[BY FACSIMILE]** I caused each such document to be transmitted by facsimile to the above-mentioned office.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct and that this declaration was executed at Lafayette, California on April 12, 1999.

MICHELINE F. REEDER

OBHDEC.OSC

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SERVICE LIST

CASE: EDGEWATER ISLE HOA v. THE ANDEN GROUP, et al.

Our Clients: GLORIA DEVELOPMENT CO., O'BRIEN & HICKS, INC., O'BRIEN & HICKS(S) 1988 & BEYOND, LTD.

William L. Nagle NAGLE, KRUG & WINTERS 345 Lorton Avenue, Suite #204 Burlingame, CA 94010-4116 (650) 579-0500 (650) 579-0623 (Fax)	Special Master
Thomas E. Miller LAW OFFICES OF THOMAS E. MILLER 4685 MacArthur Court, Suite 1150 Newport Beach, CA 92660 (949) 252-9150 (949) 442-0646 (Fax)	Edgewater Isle HOA Inc.
J. Scott Wood, Esq. BISHOP, BARRY, HOWE, HANEY & RYDER 2000 Powell St., Suite 1425 Emeryville, CA 94608 (510) 596-0888 (510) 596-0899 (Fax)	Attorneys for: THE ANDEN GROUP, ESDEN PARTNERS, MDG ASSOCIATES, LTD., ESR CORPORATION, TMD CORPORATION and MIDEN CORPORATION
Donald B. Fornasier ARCHER, MCCOMAS ET AL. 2033 N. Main Street, Suite 800 Walnut Creek, CA 94596 (925) 930-6600 (925) 930-6620 (Fax)	Attorneys for Apricio Cement; and B.L. COHEN LANDSCAPE, INC.
Chester G. Moore, III, Esq. LOW, BALL & LYNCH 10 Twin Dolphin Road, Suite B-500 Redwood City, CA 94065 (650) 591-8822 (650) 591-8884 (Fax)	Attorneys for AlCal Roofing & Insulation

Anthony J. DeMaria FILICE & DEMARIA 1130 Burnett Ave., Bldg. D, Suite H Concord, CA 94520 (925) 676-5094 (925) 676-0548 (Fax)	Attorneys for Gonsalves & Santucci, Inc., dba Conco Cement Company
S. Mitchell Kaplan GORDON & REES 275 Battery Street, 20th Floor San Francisco, CA 94111 (415) 986-5900 (415) 986-8054 (Fax)	Attorneys for Fisk, Firenze & McLean
Donald L. Sullivan CLAPP, MORONEY ET AL. 4400 Bohannon Drive, Suite 100 Menlo Park, CA 94025 (650) 327-1300 (650) 327-3707 (Fax)	Tecnibuilders Iron
John P. Bevan LONG & LEVIT LLP 101 California Street, Ste. 2300 San Francisco, CA 94111 (415) 397-2222 (415) 397-6392 (fax)	Defendants and Cross-Defendants MELVIN LEE & ASSOCIATES, INC. and RUTH & GOING, INC.
S. Mitchell Kaplan GORDON & REES, LLP 275 Battery Street, 20th Floor San Francisco, CA 94111 415-986-5900 415-986-8054 (fax)	Defendant/Cross Defendant DANIEL SMITH PLASTERING
Howard L. Churchill, Esq. SCHOFIELD & SCHILLER 100 Pringle Ave., Suite 510 Walnut Creek, CA 94596 (925) 934-3600 (925) 934-2257 (fax)	SIERRA LUMBER & FENCE COMPANY

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4-14
Dept. #12

JOHN J. CARNIATO (SB# 34567)
LAW OFFICES OF JOHN J. CARNIATO
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Attorneys for Defendants and Cross-Complainants GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California corporation, O'BRIEN & HICKS(S) 1988 & BEYOND, LTD.

FILED
SAN MATEO COUNTY
APR 12 1999
Clerk of the Superior Court
By Amy Carrella
DEPUTY CLERK

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al.,

Plaintiff,

v.

THE ANDEN GROUP, et al,

Defendants.

_____/

AND RELATED CROSS-ACTION.

_____/

NO. 388872

DECLARATION OF JOHN J. CARNIATO RE: ORDER TO SHOW CAUSE

DATE: 4/14/99
TIME: 9:30 a.m.
DEPT.: Presiding Judge

I, JOHN J. CARNIATO, hereby declare.

1. I am an attorney at law duly licensed to practice before all courts of California and

FILED
SUPERIOR AND
MUNICIPAL COURTS

1999 APR 12 A 11:11

LAW OFFICES OF JOHN J. CARNIATO

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the Managing Partner in the Law Offices of John J. Carniato, attorneys of record for Defendants and Cross-Complainants GLORIA DEVELOPMENT CO., INC., a California corporation, O'BRIEN & HICKS, INC., a California corporation, O'BRIEN & HICKS(S) 1988 & BEYOND, LTD. I have personal knowledge of the facts stated herein, and if called as a witness, I can and will testify competently to them.

2. I at all times have acted as counsel for O'BRIEN & HICKS relative to the EDGEWATER ISLE HOMEOWNERS litigation (hereinafter "EDGEWATER").

3. That over a period of years, I attended numerous Settlement Conferences under the auspices of William Nagle, Special Master, and at all times all parties were aware of the fact that my client, O'BRIEN & HICKS, INC. would not authorize its carriers, particularly Fireman's Fund Insurance Company and Scottsdale, to settle this case; further, that they were adamant that they would not sign any Settlement Agreements.

4. That Anthony Varni, personal counsel for O'BRIEN & HICKS, attended many of the same Conferences, and repeated in my presence, to all parties including Special Master Nagle, O'BRIEN & HICKS' vehement objections to settling the EDGEWATER litigation.

5. That the carriers for O'BRIEN & HICKS paid substantial monies in settling over the objections of O'BRIEN & HICKS, however, pursuant to the terms and conditions of the Contract of Insurance with which both Fireman's Fund and Scottsdale issued insuring O'BRIEN & HICKS, that Contract allowing such settlement without the insured's approval or consent.

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6. That at no time did a representative of O'BRIEN & HICKS have any authority to settle this litigation, and to my knowledge, at no time did any representative of O'BRIEN & HICKS make any representations to the contrary.

7. That I, having been advised of the fact that many subcontractors were "nervous" over O'BRIEN & HICKS' reluctance to sign the Agreement, indicated as follows:

a) That it is my understanding that O'BRIEN & HICKS did not sue, nor did they have a cause of action for express indemnity;

b) That the only causes of action for implied indemnity were those "deemed" cross-complaints, pursuant to Special Master Nagle's Orders, and that those had been dismissed;

c) That I indicated to all subcontractors that, to the extent they still felt there was some form of "phantom" cross-complaint outstanding, that I would issue Dismissals with Prejudice, some of which I have done for various subcontractors.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct, and was executed in Lafayette, California, on April 12, 1999.

JOHN J. CARNIATO

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Facsimile: (702) 898-7158

PROOF OF SERVICE
[CCP Section 2015.5]

I am employed in the County of Contra Costa, State of California. I am over the age of 18 years and not a party to the within action. My business address is 3736 Mt. Diablo Blvd., Suite 300, Lafayette, California 94549.

On this date, I served the within document[s]:

1. **DECLARATION OF JOHN J. CARNIATO RE: ORDER TO SHOW CAUSE**

INDIVIDUAL[S] SERVED:

☼☼SEE ATTACHED SERVICE LIST☼☼

/ / **[BY MAIL]** I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Lafayette, California.

/ / **[BY PERSONAL SERVICE]** I caused each such envelope to be delivered by hand to the offices of each addressee above.

/xx / **[BY FACSIMILE]** I caused each such document to be transmitted by facsimile to the above-mentioned office.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct and that this declaration was executed at Lafayette, California on April 12, 1999.

MICHELINE F. REEDER

OBHDEC.OSC

CALIFORNIA OFFICE
3736 Mt. Diablo Blvd., Suite 300
Lafayette, California 94549
Telephone: (925) 283-1552
Facsimile: (925) 283-9830
E-Mail carniato@ccnet.com

LAW OFFICES OF JOHN J. CARNIATO

NEVADA OFFICE
2920 Green Valley Parkway
Building 3, Suite 321
Henderson, NV 89014
Telephone: (702) 898-7116
Facsimile: (702) 898-7158

SERVICE LIST

CASE: EDGEWATER ISLE HOA v. THE ANDEN GROUP, et al.

Our Clients: GLORIA DEVELOPMENT CO., O'BRIEN & HICKS, INC., O'BRIEN & HICKS(S) 1988 & BEYOND, LTD.

William L. Nagle NAGLE, KRUG & WINTERS 345 Lorton Avenue, Suite #204 Burlingame, CA 94010-4116 (650) 579-0500 (650) 579-0623 (Fax)	Special Master
Thomas E. Miller LAW OFFICES OF THOMAS E. MILLER 4685 MacArthur Court, Suite 1150 Newport Beach, CA 92660 (949) 252-9150 (949) 442-0646 (Fax)	Edgewater Isle HOA Inc.
J. Scott Wood, Esq. BISHOP, BARRY, HOWE, HANEY & RYDER 2000 Powell St., Suite 1425 Emeryville, CA 94608 (510) 596-0888 (510) 596-0899 (Fax)	Attorneys for: THE ANDEN GROUP, ESDEN PARTNERS, MDG ASSOCIATES, LTD., ESR CORPORATION, TMD CORPORATION and MIDEN CORPORATION
Donald B. Fornasier ARCHER, MCCOMAS ET AL. 2033 N. Main Street, Suite 800 Walnut Creek, CA 94596 (925) 930-6600 (925) 930-6620 (Fax)	Attorneys for Apricio Cement; and B.L. COHEN LANDSCAPE, INC.
Chester G. Moore, III, Esq. LOW, BALL & LYNCH 10 Twin Dolphin Road, Suite B-500 Redwood City, CA 94065 (650) 591-8822 (650) 591-8884 (Fax)	Attorneys for AlCal Roofing & Insulation

LAW OFFICES OF JOHN J. CARNIATO

CALIFORNIA OFFICE
3736 Mt. Diablo Blvd., Suite 300
Lafayette, California 94549
Telephone: (925) 283-1552
Facsimile: (925) 283-9830
E-Mail carniato@ccnet.com

NEVADA OFFICE
2920 Green Valley Parkway
Building 3, Suite 321
Henderson, NV 89014
Telephone: (702) 898-7116
Facsimile: (702) 898-7158

Anthony J. DeMaria FILICE & DEMARIA 1130 Burnett Ave., Bldg. D, Suite H Concord, CA 94520 (925) 676-5094 (925) 676-0548 (Fax)	Attorneys for Gonsalves & Santucci, Inc., dba Conco Cement Company
S. Mitchell Kaplan GORDON & REES 275 Battery Street, 20th Floor San Francisco, CA 94111 (415) 986-5900 (415) 986-8054 (Fax)	Attorneys for Fisk, Firenze & McLean
Donald L. Sullivan CLAPP, MORONEY ET AL. 4400 Bohannon Drive, Suite 100 Menlo Park, CA 94025 (650) 327-1300 (650) 327-3707 (Fax)	Tecnibuilders Iron
John P. Bevan LONG & LEVIT LLP 101 California Street, Ste. 2300 San Francisco, CA 94111 (415) 397-2222 (415) 397-6392 (fax)	Defendants and Cross-Defendants MELVIN LEE & ASSOCIATES, INC. and RUTH & GOING, INC.
S. Mitchell Kaplan GORDON & REES, LLP 275 Battery Street, 20th Floor San Francisco, CA 94111 415-986-5900 415-986-8054 (fax)	Defendant/Cross Defendant DANIEL SMITH PLASTERING
Howard L. Churchill, Esq. SCHOFIELD & SCHILLER 100 Pringle Ave., Suite 510 Walnut Creek, CA 94596 (925) 934-3600 (925) 934-2257 (fax)	SIERRA LUMBER & FENCE COMPANY

WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVENUE, SUITE 204
BURLINGAME, CA 94010
(650) 579-0500
FAX (650) 579-0623

RECEIVED
APR 12 1999
DEPT. No. 12

April 8, 1999

Gerald E. Brunn, Esq.
Brunn & Flynn
P.O. Box 3366
Modesto, CA 95363

RE: Edgewater Isle HOA v. The Anden Group, et al.
San Mateo County Superior Court Case No. 388872
Our File No. 5074

Hearing on Order to Show Cause – April 14, 1999 at 9:30 a.m.

Dear Mr. Brunn:

Thank you for yours of April 8, 1999.

The subject is unpaid Special Master fees apportioned to a party in a complex case. The unpaid amount of the Special Master's bill is $381.96. The allocated share of the Special Master's separate bills to Daniel Smith Plastering were $2,019.62 (September 16, 1997) and $1,800 (May 1,1998). Counsel for Daniel Smith Plastering, Sandy Kaplan, advised us that the bill would be split among the insurers for Daniel Smith Plastering: CNA, Orion, Connecticut Specialty, Chubb, Nationwide, and Golden Eagle. Each of the other carriers paid a one-fifth portion of the bill. CNA took the unilateral position that it would only pay one-tenth.

The Special Master has not allocated any particular share to one insurer or another. You seem to confuse concepts in your letter. The *Haskel* case footnote simply says that as to its insured, each insurer owes a complete duty of defense. *Armstrong* confirms that among insurers defending an insured, there are alternative methods of allocating defense costs, the most prominent being an allocation based upon time on the risk. *Lu v. Superior Court* (1997) 55 Cal.App.4th 1264 was cited to you for the authority that the Court has the inherent power of to control its own affairs.

By Order of the Court, a Special Master was appointed. That Special Master performed work and resolved complex litigation. The insured, Daniel Smith Plastering, was allocated a reasonable share of the bill as directed by the Court. The sum of $381.96 remains unpaid. I will leave it to the Presiding Judge to determine who should pay the bill and whether other sanctions are appropriate under the circumstances.

What I find interesting is the general result of this exercise. I believe CNA, as the insurer for Daniel Smith Plastering, Inc., has put its own interests above the interests of its insured. No one has argued with the reasonableness of the fees, only with who should pay the fees. It seems to me that this is a contribution issue among carriers, which should not involve the insured.

I suggest you call Sandy Kaplan or Mike Bruno of Gordon & Rees who represent the insured or the other carriers in this case. The current Order requires counsel and principals or insurance carrier representatives for Daniel Smith Plastering to appear before the Presiding Judge to show cause why this bill has not been paid.

Thank you for your continued courtesy and cooperation.

Very truly yours,

William L. Nagle

WLN:cb
cc: Honorable H. James Ellis, Presiding Judge
Mr. Lewis C. Montgomery
Michael Bruno, Esq.
S. Mitchell Kaplan, Esq.
Ms. Toni Johnson
Mr. H.G. (Bud) Moritz
Ms. Cheryl R. Smith

J. MICHAEL HIGGINBOTHAM (SBN 61499)
JOHN P. BEVAN (SBN 172588)
LONG & LEVIT LLP
101 California Street, Suite 2300
San Francisco, CA 94111
Telephone: (415) 397-2222
Facsimile: (415) 397-6392

Attorneys for Defendants/Cross-Defendants
RUTH & GOING, INC. and MELVIN LEE ASSOCIATES

FILED
SAN MATEO COUNTY
APR 09 1999
Clerk of the Superior Court
By DEPUTY CLERK

Dept. 12
4-14-99
MST

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, Plaintiff, v. THE ANDEN GROUP, et al., Defendants. AND RELATED CROSS-ACTIONS.	CASE NO. 388872 **CROSS-DEFENDANTS RUTH & GOING, INC.'S and MELVIN LEE ASSOCIATES' OSC STATEMENT** Date: April 14, 1999 Time: 9:30 a.m. Dept: Presiding Judge

Cross-defendants RUTH & GOING, INC. and MELVIN LEE ASSOCIATES have submitted their respective signature pages, including the signature page for their counsel, Long & Levit, for the subject settlement agreement. These documents were previously transmitted to J. Scott Wood, counsel for Anden, at Bishop, Barry, Howe & Ryder.

The OSC notice from the Court and Special Master Nagle, filed on 3/23/99, states that appearances are not necessary for parties who have submitted their signature pages

prior to the date of the OSC hearing. Having submitted these executed signature pages, no appearances are necessary by principals and counsel for Ruth & Going, Inc. and Melvin Lee Associates.

Dated: April 7, 1999

LONG & LEVIT LLP

By: John P. Bevan
J. MICHAEL HIGGINBOTHAM
~~JOHN~~ P. BEVAN
Attorneys for Cross-Defendants RUTH & GOING, INC. and MELVIN LEE ASSOCIATES

LONG & LEVIT LLP
101 CALIFORNIA STREET
SUITE 2300
SAN FRANCISCO
CALIFORNIA 94111
(415) 397-2222

RECEIVED
APR 9 1999
CLERK OF THE SUPERIOR COURT
SAN MATEO COUNTY

PROOF OF SERVICE BY MAIL - CCP § 1013a(3)

Re: **EDGEWATER ISLE HOMEOWNERS ASSOCIATION v. THE ANDEN GROUP, and Related Cross-Actions**
Superior Court, San Mateo County Case No. 388872

I, Dara Stead, certify and declare as follows:

I am over the age of 18 years and not a party to this action. My business address is 101 California Street, Suite 2300, San Francisco, California 94111, which is located in the county where the mailing described below took place.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

On April 7, 1999, at my place of business at San Francisco, California, copies of the following document(s): **CROSS-DEFENDANTS RUTH & GOING, INC. and MELVIN LEE ASSOCIATES' OSC STATEMENT** was/were placed for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to:

William L. Nagle
SPECIAL MASTER
345 Lorton Avenue, #204
Burlingame, CA 94010-4116

Thomas E. Miller
LAW OFFICES OF THOMAS E. MILLER
4685 MacArthur Court, #1150
Newport Beach, CA 92660
Plaintiff EDGEWATER ISLE HOA

Thomas O'Haran
Michael W. Bolechowski
J. Scott Wood
BISHOP, BARRY, HOWE, HANEY & RYDER, APC
2000 Powell St., 14th Floor
Emeryville, CA 94608
Defendant and X-Complainant THE ANDEN GROUP

and that envelope was placed for collection and mailing on that date following ordinary business practices.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 7, 1999.

Dara Stead
DARA STEAD

LONG & LEVIT LLP
101 CALIFORNIA STREET
SUITE 2300
SAN FRANCISCO
CALIFORNIA 94111
(415) 397-2222

```
03/02/98 CACT      SERVICE LIST)! NM                                    0   1314
03/02/98 CACT ORD PERMITTING HRG ON MOTS 4 SJ & SA LESS THAN 30 DAY     0   1314
03/02/98 CACT       BEFORE TRIAL (MOTS TO BE FILED/SRVD BY 3/16/98      0   1314
03/02/98 CACT       & MOTS TO BE HEARD ON 4/13/98) SIG BY JDG           0   1314
03/02/98 CACT       ROSEMARY PFEIFFER 2/24/98 ($23 FPD)! SCA            0   1314
03/03/98 CACT POS "SEE LIST" SRVD PRE-TRIAL ORD #51 B/M ON 02-27-98     1   1315
03/04/98 CACT DSM ENTD 3-4, AS TO CMPL, AS TO DEFT R.D.                 1   1316
03/04/98 CACT        MOORE CONSTRUCTION CO., INC. W/O PREJ! MS          0   1316
03/04/98 CACT ORD PRE-TRIAL #53 - SIG BY JDG J.W. KOZLOSKI! SCA         0   1316
03/09/98 CACT POS WILLIAM L. NAGLE, THOMAS A. MILLER, ETAL SRVD         5   1321
03/09/98 CACT       PRE-TRIAL ORD #53 ON 3/5/98 BY M ¦UF                0   1321
03/16/98 CEVN SET SETTLEMENT CONFERENCE                                 7   1328
03/16/98 CACT ORD PRE-TRIAL # 54 (MSC 3/16 & 3/17 AT 800 NO.            0   1328
03/16/98 CACT       HUMBOLT) SIG BYB JDG JUDITH KOZLOSKI 3/10/98! S     0   1328
03/17/98 CEVN SET /ASSIGNED TO WILLIAM NAGLE- TO BE HELD IN COURTRO     1   1329
03/20/98 CACT ORD PRE TRIAL ORD #55 SIG BY JDG KOZLOSKI 3-17-98! NM     3   1332
03/25/98 CACT POS WILLIAM L NAGLE, THOMAS A MILLER, ETAL (SEE SRVC      5   1337
03/25/98 CACT       LIST) SRVD PRE-TRIAL ORD #54 ON 3/19/98 BY M¦UF     0   1337
03/26/98 CACT AOC THE LAW FIRM OF ARCHER, MC COMAS, BRESLIN,            1   1338
03/26/98 CACT       MC MAHON & CHRITTON IS HEREBY ASSOCIATED WITH       0   1338
03/26/98 CACT       TIMOTHY FOGARTY OF THE LAW FIRM OF PANDELL &        0   1338
03/26/98 CACT       BORSUK ON BEHALF OF DEFT CARLOS RODRIGUEZ           0   1338
 CONT  ***CONTINUATION***                                          .19
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LAW & MOTION

FILE PREPARATION LOG

CASE NAME Edgewater Isle Homeowners Assoc vs. The Arden Group

CASE # 388872 HRG DATE 4-14-99

- ✓ Moving papers tagged with red tag
- ____ Proof of Service filed regarding moving papers
- ✓ File in chronological order
- ✓ Notice of hearing in file
- ✓ Minute form submitted with file
- ✓ File checked for misfilings
- ✓ Documents missing (list)

Order filed on 3-2-98

FUTURE CALENDAR EVENTS DATE

UNA FINAU

FILE VERIFIED BY: _____ DATE APR 07 1999

5074
William L. Nagle, SBN 59788
Special Master/Mediator
345 Lorton Avenue, Suite #204
Burlingame, CA 94010
(650) 579-0500
(650) 579-0623 (Fax)

FILED
SAN MATEO COUNTY
MAR 31 1999
Clerk of the Superior Court
By DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, et al.,

Plaintiff,

v.

THE ANDEN GROUP, et al.,

Defendants,

_____/

AND RELATED CROSS-ACTIONS

_____/

CASE NO. 388872

DECLARATION OF SERVICE BY MAIL

I am a citizen of the United States. My business address is 345 Lorton Avenue, Suite #204, Burlingame, California. I am employed in the County of San Mateo where this mailing occurs. I am over the age of eighteen years and not a party to the within cause. I served ORDER TO SHOW CASE [April 14, 1999] (Endorsed-Filed March 23, 1999) on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in a United States post office mailbox at Burlingame, California, addressed as follows:

Please see attached list.

I, Christine L. Britton, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 24, 1999 at Burlingame, California.

Christine L. Britton

RECEIVED

MAR 18 1999

CLERK [illegible]
SAN MATEO COUNTY

03/24/99

EDGEWATER ISLE HOA v. THE ANDEN GROUP, et al.
San Mateo County Superior Court Case No. 388872
Proof of Service List

Thomas A. Miller, Esq. Law Offices of Thomas A. Miller 4685 Mac Arthur Court, Suite #220 Newport Beach, CA 92660 (949) 252-9150 (949) 442-0646 (Fax)	Plaintiff, Edgewater Isle HOA, Inc.
J. Scott Wood, Esq. Bishop, Barry, Howe, Haney & Ryder 2000 Powell Street, Suite #1425 Emeryville, CA 94608 (510) 596-0888 (510) 596-0899 (Fax)	The Anden Group, Esden Partners, MDG Associates, Ltd., ESR Corporation, TMD Corporation, and Miden Corporation
John J. Carniato, Esq. Law Offices of John J. Carniato 3736 Mt. Diablo Blvd., Suite #300 Lafayette, CA 94549 (925) 283-1552 (925) 283-9830 (Fax)	O'Brien & Hicks, Inc., O'Brien & Hicks 1988 & Beyond, Ltd., and Gloria Development co., Inc.
Chester G. Moore, III, Esq. Low, Ball & Lynch 10 Twin Dolphin Road, Suite #B-500 Redwood City, CA 94065 (650) 591-8822 (650) 591-8884 (Fax)	Alcal Roofing & Insulation
Philip Y. Kazan, Esq. Russell, Kazan, Brenner & Mallett 343 Sansome Street, Suite #525 San Francisco, CA 94104 (415) 956-5841 (415) 956-0708 (Fax)	C. Aparicio Cement
Donald B. Fornasier, Esq. Archer, McComas, Breslin, McMahon & Chritton 2033 N. Main Street, Suite #800 Walnut Creek, CA 94596 (510) 930-6600 (510) 930-6620 (Fax)	C. Aparicio Cement; B.L. Cohen Landscape, Inc.; and

S. Mitchell Kaplan, Esq.
Gordon & Rees
275 Battery Street, 20th Floor
San Francisco, CA 94111
(415) 986-5900
(415) 986-8054 (Fax)

Daniel Smith Plastering, Inc.

S. Mitchell Kaplan, Esq.
Gordon & Rees
275 Battery Street, 20th Floor
San Francisco, CA 94111
(415) 986-5900
(415) 986-8054 (Fax)

Fisk, Firenze & McLean

Anthony J. DeMaria, Esq.
Filice & DeMaria
1130 Burnett Avenue
Building D, Suite H
Concord, CA 94520
(925) 676-5094
(925) 676-0548 (Fax)

Gonsalves & Santucci, Inc. dba
Conco Cement Company

John Bevan, Esq.
Long & Levit
101 California Street, Suite #2300
San Francisco, CA 94111
(415) 397-2222
(415) 397-6392 (Fax)

Ruth & Going, Inc. and
Melvin Lee Associates

Donald L. Sullivan, Esq.
Clapp, Moroney, Bellagamba, Davis & Vucinich
4400 Bohannon Drive, Suite #100
Menlo Park, CA 94025
(650) 327-1300
(650) 327-3707 (Fax)

Technibuilders Iron

Howard L. Churchill, Esq.
Schofield & Schiller
100 Pringle Avenue, Suite #510
Walnut Creek, CA 94596
(925) 934-3600
(925) 934-2257 (Fax)

Sierra Lumber & Fence Company

5074
William L. Nagle, SBN 59788
Special Master/Mediator
345 Lorton Avenue, Suite #204
Burlingame, CA 94010
(650) 579-0500
(650) 579-0623 (Fax)

FILED
SAN MATEO COUNTY
MAR 31 1999
Clerk of the Superior Court
BY DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, et al.,

Plaintiff,

v.

THE ANDEN GROUP, et al.,

Defendants,

_____/

AND RELATED CROSS-ACTIONS

_____/

CASE NO. 388872

DECLARATION OF SERVICE BY MAIL

I am a citizen of the United States. My business address is 345 Lorton Avenue, Suite #204, Burlingame, California. I am employed in the County of San Mateo where this mailing occurs. I am over the age of eighteen years and not a party to the within cause. I served ORDER TO SHOW CASE RE: SPECIAL MASTER FEES (Endorsed-Filed March 23, 1999) on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in a United States post office mailbox at Burlingame, California, addressed as follows:

S. Mitchell Kaplan, Esq.
Gordon & Rees
275 Battery Street, 20th Floor
San Francisco, CA 94111

I, Christine L. Britton, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 24, 1999 at Burlingame, California.

Christine L. Britton

RECEIVED

MAR 2 6 1999

CLERK OF THE SUPERIOR COURT
SAN MATEO COUNTY

ANTHONY J. DeMARIA, ESQ.
STATE BAR NO. 46384
LAW OFFICES OF
Filice & DeMaria
1130 Burnett Ave., Bldg. D, Suite H
Concord, California 94520
Tel: (925) 676-5094 Fax: (925) 676-0548

ATTORNEY FOR Defendant and Cross-Defendant Gonsalves & Santucci, Inc. dba Conco Cement Company

FILED
SAN MATEO COUNTY
MAR 31 1999
Clerk of the Superior Court
By DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., a non-profit mutual benefit corporation, on behalf of itself and as representative of all EDGEWATER ISLE homeowners,

Plaintiff,

vs.

THE ANDEN GROUP, a California general partnership, THE ANDEN CORPORATION, a California corporation, et al.,

Defendants.
_____/

AND RELATED CROSS-ACTIONS
_____/

NO. 388872

DECLARATION OF ANTHONY J. DeMARIA IN RESPONSE TO ORDER TO SHOW CAUSE

Date: ~~March 25~~ April 14, 1999
Time: 9:30 a.m.
Department 12
The Honorable H. James Ellis

I, Anthony J. DeMaria, declare under penalty of perjury as follows:

I am an attorney duly licensed to practice law in the State of California, and am the attorney for defendant and cross-defendant Gonsalves & Santucci, Inc. dba Conco Cement

RECEIVED
MAR 26 1999
CLERK OF THE SUPERIOR COURT
SAN MATEO COUNTY

Company (hereinafter Conco) in this matter.

My memory of events is that everyone was to sign the release and this is on the record. I subsequently learned that O'Brien & Hicks was refusing to sign a release. Thus, when I received the draft release from Marisa L. D'Amico, counsel for The Anden Group, I specifically asked that she strike O'Brien & Hicks, Inc. from the release as a releasee under paragraph 4.3 given its new position that it would not sign the release, in direct contravention to what was agreed upon on the record. Although Ms. D'Amico said she would do so, this was not done. If anyone should be answering to an OSC, it is O'Brien & Hicks. I believe Mike Bruno's (counsel for Daniel Smith Plastering) suggestion is a good one, and if the release is redone accordingly, and I receive an endorsed filed dismissal by plaintiff and The Anden Group, neither of which have ever been sent to me, I and my client will sign the redrafted release.

Dated: March 23, 1999

Respectfully submitted,

FILICE & DeMARIA

By _____

Anthony J. DeMaria
Attorney for Defendant and
Cross-Defendant Gonsalves &
Santucci, Inc. dba Conco Cement
Company

PROOF OF SERVICE

[C.C.P. §§ 1013a, 2015.5]

I am a citizen of the United States and am employed in the County of Contra Costa, State of California; I am over the age of eighteen years and not a party of the within entitled cause; my business address is 1130 Burnett Avenue, Suite H, Concord, California 94520.

On March 23, 1999, I served the within

DECLARATION OF ANTHONY J. DeMARIA IN RESPONSE TO ORDER TO SHOW CAUSE

on the interested parties in said action, by transmitting via facsimile a true copy thereof, as follows:

The Honorable H. James Ellis
Judge of the Superior Court
County of San Mateo, Department 12
Facsimile: (650) 363-4698

William L. Nagle, Esq.
Special Master
NAGLE, KRUG & WINTERS
Facsimile: (650) 579-0623

Counsel for Edgewater Isle Homeowners Assoc., Inc.
Thomas E. Miller, Esq.
LAW OFFICES OF THOMAS E. MILLER
Facsimile: (714) 442-0646

Counsel for The Anden Group
Thomas O. Haran, Esq.
BISHOP, BARRY, HOWE, HANEY & RYDER
Facsimile: (510) 596-0899

Counsel for O'Brien & Hicks, Inc.
John J. Carniato, Esq.
LAW OFFICES OF JOHN J. CARNIATO
Facsimile: (925) 283-9830

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on March 23, 1999, at Concord, California.

Melicent C. Kiernan

Melicent C. Kiernan

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

JUDGE DEPT. NO. 12 CASE NO. 388872 DATE 25 MAR 1999
DEPUTY CLERK L. Stenson COURT REPORTER Chris Doesel
H. J. Ellis

TITLE OF ACTION: EDGEWATER ISLE HOMEOWNERS ASSOC. ETAL VS. THE ANDEN GROUP, ET AL

NATURE OF EVENTS: ORDER TO SHOW CAUSE RE: SPECIAL MASTER'S BILL - (COUNSEL AND PRINCIPALS OR INSURANCE CARRIER REPRESENTATIVES)

_____ _____ APPEARANCES
_____ _____ APPEARANCES

___ OFF CALENDAR ___ MOVING PARTY'S REQUEST ✓ NONAPPEARANCE ___ STIPULATION
✓ THE ABOVE MATTER IS (CONTINUED) ASSIGNED TO April 14, 1999 @ 9:30 AM
___ SUBMITTED ON POINTS AND AUTHORITIES WITHOUT ARGUMENT.
___ MATTER ARGUED BY COUNSEL AND SUBMITTED.
___ MOTION GRANTED ___ MOTION DENIED
___ DEMURRER ___ SUSTAINED _____ DAYS TO AMEND.
___ OVERRULED _____ DAYS TO ANSWER.
___ GROUNDS _____

___ THE ABOVE MATTER IS TAKEN UNDER SUBMISSION.
___ POINTS AND AUTHORITIES TO BE SUBMITTED BY _____ NOT LATER THAN _____ AND BY _____ NOT LATER THAN _____
___ NOTICE OF RULING IS _____ WAIVED IN OPEN COURT.

✓ Tentative ruling adopted.

___ LET A WRITTEN ORDER BE PREPARED, SIGNED AND FILED.
DATE: 3/25/99
NATURE OF PROCEEDINGS: See Above

LAW AND MOTION MINUTE FORM
CoN

8

WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVENUE, SUITE 204
BURLINGAME, CA 94010
(650) 579-0900
FAX (650) 579-0623

put in file

RECEIVED
MAR 23 1999
DEPT. No. 12

March 23, 1999

VIA FACSIMILE
To: (650) 363-4698
Pages: 3

The Honorable H. James Ellis
Presiding Judge of the Superior Court
Superior and Municipal Courts
of San Mateo County
400 County Center
Redwood City, CA 94063

Attn: Leticia, Clerk

RE: *Edgewater Isle HOA v. The Anden Group, et al.*
Case No: 388872
Our File No: 5074

Dear Tish:

In addition to our companion letter, the Special Master is recommending that the Order to Show Cause hearing with respect to payment of Special Master fees be continued for approximately two to three weeks. Enclosed please find proposed Order to Show Cause Re: Special Master Fees for Judge Ellis' review. Would you kindly present this Order to his Honor for his review and signature, and return the endorsed-filed copy via facsimile. We will serve all counsel.

If you have any questions, please feel free to contact me.

Respectfully yours,

Christine L. Britton
Secretary to
William L. Nagle, Esq.

/cb
Enclosure

WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVENUE, SUITE 204
BURLINGAME, CA 94010
(650) 579-0500
FAX (650) 579-0623

RECEIVED
MAR 23 1999
DEPT. No. 12

March 23, 1999

VIA FACSIMILE
To: (650) 363-4698
Pages: 3

The Honorable H. James Ellis
Presiding Judge of the Superior Court
Superior and Municipal Courts
of San Mateo County
400 County Center
Redwood City, CA 94063

Attn: Leticia, Clerk

RE: *Edgewater Isle HOA v. The Anden Group, et al.*
Case No: 388872
Our File No: 5074

Dear Tish:

This is a settled construction defect case in which Mr. Nagle is serving as Special Master. Pursuant to our recent telephone conversation, enclosed please find proposed Order to Show Cause, which continues the OSC hearing regarding the Settlement Agreement issue only for two weeks. Please present the Order to Judge Ellis for his review and signature, and return the endorsed-filed copy via facsimile. We will serve all counsel.

In addition, as we discussed, the Order to Show Cause hearing regarding Special Master fees shall remain on calendar for Thursday, March 25, 1999 at 9:30 a.m. in your Department.

If you have any questions, please feel free to contact me.

Respectfully yours,

Christine L. Britton
Secretary to
William L. Nagle, Esq.

/cb
Enclosure

RECEIVED
MAR 23 1999
DEPT. No. 12

Law Offices of
FILICE & DeMARIA
1130 Burnett Avenue, Suite H
Concord, California 94520
Tel: (925) 676-5094 Fax: (925) 676-0548

file

FACSIMILE TRANSMITTAL

DATE: March 23, 1999

TO: THE HONORABLE H. JAMES ELLIS, PRESIDING JUDGE

FIRM: SAN MATEO COUNTY SUPERIOR COURT, DEPT. 12

FAX NO.: (650) 363-4698

FROM: Anthony J. DeMaria, Esq.

RE: Edgewater Isle Homeowners Association, Inc. vs. The Anden Group, et al.
San Mateo County Superior Court No. 388872

DOCUMENT: DECLARATION OF ANTHONY J. DeMARIA IN RESPONSE TO ORDER TO SHOW CAUSE

HEARING DATE: 3/25/99; 9:30 A.M., DEPT. 12

PAGES (INCLUDING TRANSMITTAL): 4

PLEASE CONTACT (925) 676-5094 IF YOU DO NOT RECEIVE ALL OF THE FOREGOING.

NOTICE: THIS IS A PRIVATE COMMUNICATION PROTECTED BY CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 2018 AND CALIFORNIA EVIDENCE CODE SECTIONS 950 ET SEQ. AND IS INTENDED SOLELY FOR THE USE OF THE RECIPIENT DESIGNATED ABOVE. IF THIS DOCUMENT IS RECEIVED BY MISTAKE BY ANY OTHER PERSON, PLEASE CONTACT THE SENDER IMMEDIATELY.

ANTHONY J. DeMARIA, ESQ.
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Concord, California 94520
Tel: (925) 676-5094 Fax: (925) 676-0548
ATTORNEY FOR Defendant and Cross-Defendant Gonsalves & Santucci, Inc. dba Conco Cement Company

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., a non-profit mutual benefit corporation, on behalf of itself and as representative of all EDGEWATER ISLE homeowners,

Plaintiff,

vs.

THE ANDEN GROUP, a California general partnership, THE ANDEN CORPORATION, a California corporation, et al.,

Defendants.
_____/

AND RELATED CROSS-ACTIONS
_____/

NO. 388872

DECLARATION OF ANTHONY J. DeMARIA IN RESPONSE TO ORDER TO SHOW CAUSE

Date: March 25, 1999
Time: 9:30 a.m.
Department 12
The Honorable H. James Ellis

I, Anthony J. DeMaria, declare under penalty of perjury as follows:

I am an attorney duly licensed to practice law in the State of California, and am the attorney for defendant and cross-defendant Gonsalves & Santucci, Inc. dba Conco Cement

Company (hereinafter Conco) in this matter.

My memory of events is that everyone was to sign the release and this is on the record. I subsequently learned that O'Brien & Hicks was refusing to sign a release. Thus, when I received the draft release from Marisa L. D'Amico, counsel for The Anden Group, I specifically asked that she strike O'Brien & Hicks, Inc. from the release as a releasee under paragraph 4.3 given its new position that it would not sign the release, in direct contravention to what was agreed upon on the record. Although Ms. D'Amico said she would do so, this was not done. If anyone should be answering to an OSC, it is O'Brien & Hicks. I believe Mike Bruno's (counsel for Daniel Smith Plastering) suggestion is a good one, and if the release is redone accordingly, and I receive an endorsed filed dismissal by plaintiff and The Anden Group, neither of which have ever been sent to me, I and my client will sign the redrafted release.

Dated: March 23, 1999

Respectfully submitted,

FILICE & DeMARIA

By _____

Anthony J. DeMaria
Attorney for Defendant and Cross-Defendant Gonsalves & Santucci, Inc. dba Conco Cement Company

PROOF OF SERVICE

[C.C.P. §§ 1013a, 2015.5]

I am a citizen of the United States and am employed in the County of Contra Costa, State of California; I am over the age of eighteen years and not a party of the within entitled cause; my business address is 1130 Burnett Avenue, Suite H, Concord, California 94520.

On March 23, 1999, I served the within

DECLARATION OF ANTHONY J. DeMARIA IN RESPONSE TO ORDER TO SHOW CAUSE

on the interested parties in said action, by transmitting via facsimile a true copy thereof, as follows:

The Honorable H. James Ellis
Judge of the Superior Court
County of San Mateo, Department 12
Facsimile: (650) 363-4698

William L. Nagle, Esq.
Special Master
NAGLE, KRUG & WINTERS
Facsimile: (650) 579-0623

Counsel for Edgewater Isle Homeowners Assoc., Inc.
Thomas E. Miller, Esq.
LAW OFFICES OF THOMAS E. MILLER
Facsimile: (714) 442-0646

Counsel for The Anden Group
Thomas O. Haran, Esq.
BISHOP, BARRY, HOWE, HANEY & RYDER
Facsimile: (510) 596-0899

Counsel for O'Brien & Hicks, Inc.
John J. Carniato, Esq.
LAW OFFICES OF JOHN J. CARNIATO
Facsimile: (925) 283-9830

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on March 23, 1999, at Concord, California.

Melicent C. Kiernan

E

FILED
SAN MATEO COUNTY
MAR 23 1999
Clerk of the Superior Court
By _____ DEPUTY CLERK

5074
William L. Nagle, SBN 59788
Special Master/Mediator
345 Lorton Avenue, Suite #204
Burlingame, CA 94010
(650) 579-0500
(650) 579-0623 (Fax)

SPECIAL MASTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, et al.,

Plaintiff,

v.

THE ANDEN GROUP, et al.,

Defendants,

_____/

AND RELATED CROSS-ACTIONS

_____/

CASE NO. 388872

ORDER TO SHOW CAUSE

DATE: April 14, 1999
TIME: 9:30 a.m.
DEPT: Presiding Judge

The Court having appointed William L. Nagle as Special Master in this matter and good cause appearing therefor,

IT IS HEREBY ORDERED that the hearing on Order to Show Cause on March 25, 1999 at 9:30 a.m. is continued to April 14, 1999 at 9:30 a.m. in Department of the Presiding Judge, San Mateo County Superior Courthouse, 400 County Center, Redwood City, California. Counsel and principals for the following parties shall appear to show cause why they have not yet signed the Settlement Agreement:

A. Parties Which Have Not Signed Settlement Agreement:

Edgewater Isle HOA

O'Brien & Hicks, Inc.

Conco Cement Company

Fisk, Firenze & McLean

Daniel Smith Plastering, Inc.

Sierra Lumber & Fence Company

B. Counsel Who Have Not Signed Settlement Agreement:

Law Offices of Thomas Miller	(Edgewater Isle HOA)
Law Offices of John J. Carniato	(O'Brien & Hicks, Inc.)
Long & Levit	(Melvin Lee Associates)
Long & Levit	(Ruth & Going, Inc.)
Russell, Kazan, Brenner & Mallett	(C. Aparicio Cement)
Low, Ball & Lynch	(Alcal Roofing & Insulation)
Felice & DeMaria	(Conco Cement Company)
Gordon & Rees	(Fisk, Firenze & McLean)
Gordon & Rees	(Daniel Smith Plastering, Inc.)
Clapp, Moroney, Bellagamba Davis & Vucinich	(Technibuilders Iron)
Archer, McComas, Breslin McMahon & Chritton	(C. Aparicio Cement)
Archer, McComas, Breslin McMahon & Chritton	(B.L. Cohen Landscape)
Schofield & Schiller	(Sierra Lumber)

Parties and counsel who have forwarded both signature pages to J. Scott Wood, Esq. at Bishop, Barry, Howe, Haney & Ryder, 2000 Powell Street, Suite #1425, Emeryville, California 94608, by the day before the hearing shall be excused from the hearing.

APPROVED AND RECOMMENDED:

DATED: March 23, 1999

William L. Nagle, Special Master

IT IS SO ORDERED:

DATED: MAR 23 1999

Judge of the Superior Court

5074
William L. Nagle, SBN 59788
Special Master/Mediator
345 Lorton Avenue, Suite #204
Burlingame, CA 94010
(650) 579-0500
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SPECIAL MASTER

FILED
SAN MATEO COUNTY
MAR 23 1999
Clerk of the Superior Court
By [signature]
DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, et al.,

Plaintiff,

v.

THE ANDEN GROUP, et al.,

Defendants,

_____/

AND RELATED CROSS-ACTIONS

_____/

CASE NO. 388872

ORDER TO SHOW CAUSE
RE: SPECIAL MASTER FEES

DATE: April 14, 1999
TIME: 9:30 a.m.
DEPT: Presiding Judge

The Court having appointed William L. Nagle as Special Master in this matter and good cause appearing therefor,

IT IS HEREBY ORDERED that the hearing on Order to Show Cause on March 25, 1999 at 9:30 a.m. is continued to April 14, 1999 at 9:30 a.m. in Department of the Presiding Judge, San Mateo County Superior Courthouse, 400 County Center, Redwood City, California. Counsel and principals or insurance carrier representatives for Daniel Smith Plastering shall appear before the Presiding Judge to show cause Daniel Smith Plastering has not paid its respective allocated share of the Special Master's bills in the amount of $381.96.

If payment in the above amount is received by the Special Master prior to the hearing, the Order to Show Cause shall be dropped and no appearances will be necessary.

///

APPROVED AND RECOMMENDED:

DATED: March 23, 1999

William L. Nagle, Special Master

IT IS SO ORDERED:

DATED: MAR 23 1999

Judge of the Superior Court

Jeffery L. Borsuk SBN 105069
BORSUK & ASSOCIATES
2033 N. Main Street, Suite 450
Walnut Creek, California 94596-3722
Telephone: (925) 937-4400
Facsimile: (925) 937-4450

Attorneys for Defendant
CARLOS RODRIGUEZ PAINTING

FILED
SAN MATEO COUNTY
MAR 19 1999
Clerk of the Superior Court
By _____ DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al.,

Plaintiffs,

vs.

THE ANDEN GROUP, et al.,

Defendants.

_____/

AND RELATED CROSS-ACTIONS

_____/

Case No. 388872

CASE MANAGEMENT CONFERENCE AND ORDER TO SHOW CAUSE HEARING

Date: March 25, 1999
Time: 9:30 a.m.

Defendant CARLOS RODRIGUEZ PAINTING hereby advises the court that it has completed all matters necessary to effectuate their settlement with all parties, including but not limited to, execution of all settlement documents, and transferring all settlement funds. The settlement having been consummated, no appearance by counsel for defendant Carlos Rodriguez Painting will be made at the scheduled hearing.

DATED: March 15, 1999

BORSUK & ASSOCIATES

By: _____
Jeffery L. Borsuk

RECEIVED
MAR 19 1999
CLERK OF THE
SAN MAT

CERTIFICATE OF SERVICE

I am employed in the County of Contra Costa, State of California. I am over the age of 18 years and not a party to the within action. My business address is c/o BORSUK & ASSOCIATES, 2033 North Main Street, Suite 450, Walnut Creek, California 94596.

On this date, March 16, 1999 , I served the within

CASE MANAGEMENT CONFERENCE AND ORDER TO SHOW CAUSE HEARING

by placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in a United States post office mailbox at Walnut Creek, California, addressed as follows:

PLEASE SEE ATTACHED SERVICE LIST

I certify under penalty of perjury that the foregoing is true and correct.

Executed on March 16, 1999 , at Walnut Creek, California.

April K. Stanley

PROOF OF SERVICE LIST (97659)
Edgewater Isle HOA v. The Anden Group
San Mateo Superior Court Action No. 388872
[B&A Client: Carlos Rodriguez Painting]

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c/o San Francisco Reporting Service
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Telephone: (209) 521-2133
Facsimile: (209) 521-7584

FILED
SAN MATEO COUNTY
MAR 19 1999
Clerk of the Superior Court
By _____ DEPUTY CLERK

Attorneys **Specially** Appearing for BUCKEYE UNION INSURANCE COMPANY (CNA) (Insurer of DANIEL SMITH PLASTERING, INC., 3/7/93 to 3/21/94)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, et al.

Plaintiffs,

v.

THE ANDEN GROUP, et al.,

Defendants.

AND RELATED CROSS-ACTIONS.

Case No. 388872

RESPONSE TO ORDER TO SHOW CAUSE; DECLARATION OF GERALD E. BRUNN

Date: March 25, 1999
Time: 9:30 a.m.
Dept: Presiding Judge

BY FAX

Filed By Fax & File

BUCKEYE UNION INSURANCE COMPANY (CNA) is not a party in this case, and it was not served with the Order to Show Cause which is scheduled to be heard by this court on March 25, 1999. CNA hereby appears **specially** to object to the court's attempt to exercise jurisdiction over CNA.

I

FACTS

On July 27, 1994, EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., filed its first complaint in this construction defect case. The complaint identified ANDEN GROUP and O'BRIEN & HICKS as developers of

MUNICIPAL COURTS

1999 MAR 22 A 8:3

the plaintiff's property. On November 16, 1994, the court referred this case to Mr. William Nagle as special master pursuant to stipulation by the plaintiff and O'BRIEN & HICKS.

On August 25, 1995, defendant ANDEN GROUP filed a cross-complaint against various subcontractors who provided construction services at the plaintiff's property, including DANIEL SMITH PLASTERING, INC. ("DSP").

DSP tendered its defense to Nationwide/Wausau. Nationwide/ Wausau retained the law offices of Gordon & Rees to defend DSP.

On August 23, 1996, Gordon & Rees requested CNA's participation in the defense of DSP as one of DSP's other insurers. On December 11, 1996, CNA agreed to participate in the defense of DSP and to pay a 10% pro rata share of defense costs with DSP's other insurers.[1]

At the time CNA began participating in the defense of DSP, the court had already appointed Mr. Nagle as the special master in the case. CNA had no control over the appointment of Mr. Nagle; CNA had no opportunity to object to the appointment of Mr. Nagle; CNA did not request Mr. Nagle's services; CNA did not contract with Mr. Nagle for his services; CNA did not agree with Mr. Nagle to pay any portion of his fees.

In November 1997, Gordon & Rees provided CNA with a copy of Mr. Nagle's invoice number 10249, which requested payment of fees by DSP in the sum of $2,019.62. Pursuant to its agreement to pay 10% of the

---

[1] DSP's other insurers have never communicated to CNA or its counsel any objection to CNA's position. CNA's "time-on-risk" position was based on equitable considerations approved by the California Courts of Appeal. Please see Armstrong World Industries Inc. v. Aetna Casualty & Surety Company (1996) 45 Cal.App.4th 1, 52; Fireman's Fund Insurance Company v. Maryland Casualty Company (1998) 65 Cal.App.4th 1279, 1307; CNA Casualty of California v. Seaboard Surety Company (1986) 176 Cal.App.3d 598, 619, cited with approval in Century Indemnity Company v. Superior Court (1996) 50 Cal.App.4th 1115, 1124.

defense costs, CNA immediately forwarded a check in the amount of $201.96 to Mr. Nagle.

In January of 1999, CNA received from Gordon & Rees a copy of Mr. Nagle's invoice number 10408 dated May 1, 1998. The statement indicated a balance due from DSP in the amount of $1,800.00. Again, pursuant to its agreement to pay 10% of the defense costs, CNA immediately forwarded a check in the amount of $180.00 to Mr. Nagle's office.

In February 1999, Mr. Nagle caused an Order to Show Cause to be issued by this court which requires "counsel and principals or insurance carrier representatives" for DSP to show cause why CNA has not paid $381.96 as its "allocated share of the special master's bill." The Order to Show Cause was not served on CNA. The special master has not provided any explanation as to the basis, legal or otherwise, for his allocation of $381.96 of his fees to CNA.

II

NEITHER THE COURT NOR THE SPECIAL MASTER HAS JURISDICTION TO "ALLOCATE" THE SPECIAL MASTER'S FEES TO CNA

In November 1994, counsel for the plaintiff and O'BRIEN & HICKS stipulated to the appointment of Mr. Nagle as special master. The stipulation was pursuant to California Code of Civil Procedure §639. The stipulation specifically adopted San Mateo County Superior Court Rules regarding the powers of a special master.

San Mateo County Superior Court Rule 8.4 states as follows:

> The compensation of the special master or referee shall be fixed by the presiding judge pursuant to Code of Civil Procedure §645.1 or pursuant to the agreement of all *parties*. (Emphasis added.)

/ / /

/ / /

Cal.Civ.Proc. Code §645.1 states as follows:

> The court may order the ***parties*** to pay the fees of referees who are not employees or officers of the court at the time of appointment, as fixed pursuant to §1023, in any manner determined by the court to be fair and reasonable, including an apportionment of the fees among the ***parties***. (Emphasis added.)

The stipulation and order appointing Mr. Nagle specifically says, "The fees and costs of the Special Master shall be allocated amongst the ***parties*** ..." (Emphasis added.)

In Taggares v. Superior Court (1998) 62 Cal.App.4th 94, the appellate court held that a nonparty cannot be required to pay a private referee's fees. The court noted that requiring a party's attorney to pay a referee's fees cannot be reconciled with the language of the applicable statute. "Sections 645.1 and 1023 permit the court to order 'the parties' - *not* counsel for the parties - to pay the referee's fees." Taggares, Id. at 103.

Cal.Civ.Proc. Code §645.1, San Mateo County Superior Court Rule 8.4, and even this court's order of November 16, 1994, are clear: only the ***parties*** may be ordered to pay the referee's fees. CNA is not a party.

III

THE COURT HAS NO JURISDICTION OVER CNA

The 14th Amendment of the United States Constitution states, "no state shall ... deprive any person of life, liberty, or property without due process of law ..." Likewise, the California Constitution states that, "a person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws ..." Cal.Const., Art. 1, §7. The court's attempt to exercise jurisdiction

over CNA in this case clearly violates the constitutional right to due process. It has been noted that,

> If some basis for personal jurisdiction exists, the state, through its courts, may obtain jurisdiction of the person. But the constitutional guarantee of due process must be satisfied by (1) employing a reasonable method of notice and (2) giving a reasonable opportunity for a hearing. (Citations omitted.)
>
> The requirement is of proper notice or *notification*, and is not satisfied by actual knowledge without such notification. Hence, even though (a party) may have knowledge of the action, there is no jurisdiction over him unless the statutory method of notification, i.e., the type of service, is sufficient, or unless he appears generally in the action. (Citations omitted.) 2 Witkin, Cal.Proc., 4th ed., Vol.2 "Jurisdiction" §114.

In this case, a statutory method of notification has not been utilized to confer jurisdiction over CNA, nor has CNA made a general appearance.

It has long been the law in California that a court cannot order a non-party to pay money or relinquish property.

> To make such order ..., if it could have any effect or operation, would be to deprive (the non-party) of (its) property upon a summary proceeding and without due process of law. Oksner v. Superior Court (1964) 229 Cal.App.2d 672, 685.

In Bronco Wine Company v. Frank A. Loguloso Farms (1989) 214 Cal.App.3d 699, the Court of Appeal noted that,

> For over 50 years California has recognized that a judgment may not be entered either for or against one who is not a party to an action or proceeding. [Citations.] Bronco Wine Company, Id. at 717.

In fact, in a recent concurring opinion, Justice Baxter of the California Supreme Court stated that,

> Rendering a judgment for or against a nonparty to a lawsuit may constitute denial of due process under the United States and California

> Constitutions. (Lambert v. California (1957) 355 U.S. 225, 228, 2 L.Ed.2d 228, 78 S.Ct. 240; Twining v. New Jersey (1908) 211 U.S. 78, 110-111, 53 L.Ed. 97, 29 S.Ct. 14]). Due process is denied because the nonjoined party has not been given notice of the proceedings or an opportunity to be heard. (*Ibid.*) Notice and a chance to be heard are essential components to the trial court's jurisdiction and for due process. Without jurisdiction over the parties, an in personam judgment is invalid. (Environmental Coalition of Orange County, Inc. v. Local Agency Formation Com. (1980) 110 Cal.App.3d 164, 173, 167 Cal.Rptr. 735.) [Emphasis added.] Stop Youth Addiction Inc. v. Lucky Stores (1998) 17 Cal.4th 553, 583.

In this case, CNA has not been served with process. CNA is not a party, and the court simply has no jurisdiction to require CNA to pay any fees to a court appointed referee.

IV

CONCLUSION

It has been held that a, "referee's report is advisory, not determinative, and that the trial court must independently consider the referee's findings before acting upon the referee's recommendations. ... (T)he trial court must do something more than rubber stamp the referee's findings. Marathon National Bank v. Superior Court (1993) 19 Cal.App.4th 1256, 1261, 1262 at fn.3.

Mr. Nagle's attempt to "allocate" his fees to CNA violates CNA's constitutional right to due process as well as the legislative mandate

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set forth in Cal.Civ.Proc. Code §645.1. The court does not have jurisdiction to order a nonparty such as CNA to pay Mr. Nagle's fees.

Dated: March 19, 1999.

Respectfully submitted,

LAW OFFICES OF BRUNN & FLYNN
A Professional Corporation

By: _____
GERALD E. BRUNN
Attorneys **Specially** Appearing for CNA

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DECLARATION OF GERALD E. BRUNN IN RESPONSE TO ORDER TO SHOW CAUSE

I, GERALD E. BRUNN, declare as follows:

1. I am an attorney at law, duly licensed to practice before all courts of the State of California, and am a member of the Law Offices of Brunn & Flynn, counsel for BUCKEYE UNION INSURANCE COMPANY (CNA).

2. If called upon to testify in this matter, I could and would competently testify as to all matters contained herein, because they are personally known by me to be true. Those matters stated to be based upon my information and belief are believed by me to be true.

3. CNA is appearing **specially** to object to the court's attempt to exercise jurisdiction over CNA.

4. CNA is one of DANIEL SMITH PLASTERING, INC.'s ("DSP") insurers. CNA retained Brunn & Flynn to act as their coverage counsel.

5. CNA has never been served with process in this case, nor has it made a general appearance. CNA has never been identified as a party in this case.

6. As CNA's counsel, I have been provided with copies of correspondence from DSP's defense counsel to DSP's insurers.

7. In November 1997, Gordon & Rees, DSP's defense counsel, provided CNA with a copy of special master Nagle's Invoice #10249, which requested payment of fees by DSP in the sum of $2,019.62. I am informed and believe that pursuant to its agreement to pay 10% of the defense costs, CNA immediately forwarded a check in the amount of $201.96 to Mr. Nagle.

8. CNA was not provided with any other invoices from Mr. Nagle until January 1999. I received from Gordon & Rees a copy of Mr. Nagle's bill dated May 1, 1998, for the first time on January 8, 1999. In

accordance with CNA's agreement to pay 10% of the defense costs, CNA's check in the amount of $180.00 was forwarded to Mr. Nagle's office on February 1, 1999. A true and correct copy of my correspondence to Mr. Nagle dated February 1, 1999, is attached hereto as **Exhibit A**.

9. Mr. Nagle has not responded to my correspondence of February 1, 1999.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed in Modesto, California, on March 19, 1999.

GERALD E. BRUNN

BRUNN & FLYNN
ATTORNEYS

LAW OFFICES
A Professional Corporation

Charles K. Brunn
Timothy T. Flynn
Gerald E. Brunn
Roger S. Matzkind
Michael G. Donovan
Andrew N. Eshoo
Leslie K. McHugh

928 12th Street, Suite 200
P.O. Box 3366
Modesto, CA 95353
Phone: (209) 521-2133
Fax: (209) 521-7684

February 1, 1999

VIA FACSIMILE & U.S. MAIL

William L. Nagle
Special Master/Mediator
545 Lorton Avenue, Suite 204
Burlingame, CA 94010

Re: Edgewater Isle HOA v. The Anden Group

Dear Mr. Nagle:

We represent CNA, one of Daniel Smith Plastering Inc.'s ("DSP") insurers.

It has come to our attention that you have not been fully compensated by DSP for your services in the above matter. Prior to January 8, 1999, neither this office nor CNA had received a copy of your May 1, 1998, statement. On January 8, 1999, we received Mr. Michael Bruno's correspondence dated January 5, 1999, a copy of which is enclosed.

On December 11, 1996, CNA agreed to contribute 10% of Daniel Smith Plastering Inc.'s defense costs. Pursuant to CNA's agreement, we have enclosed CNA's check in the amount of $180.00, which is 10% of your outstanding balance attributable to DSP.

If you would like to discuss this matter further, please do not hesitate to contact the undersigned.

Very truly yours,

LAW OFFICES OF BRUNN & FLYNN
A Professional Corporation

Gerald E. Brunn

GEB/ls/hm

Enclosures: 1. Letter from Michael Bruno dated January 5, 1999.
2. CNA's check in the amount of $180.00.

EXHIBIT A

cc: Michael D. Bruno, Esq.
Gordon & Rees, LLP
Embarcadero Center West
275 Battery Street, 20th Floor
San Francisco, CA 94111

Mr. Keith Anderson
Wausau Insurance Companies
2390 East Orangewood Avenue, Suite 400
Anaheim, CA 92806-6141
Claim No.: M28002734

Mr. Ron Gray
Connecticut Specialty Insurance Group
5335 Southwest Meadows Road, Suite 400
P.O. Box 4269
Portland, OR 97208
Claim No. 97-043672

Mr. H.G. (Bud) Moritz
725 Natoma Drive
San Jose, CA 95123

Ms. Cheryl R. Smith
Daniel Smith Plastering, Inc.
4208 Chaboya Road
San Jose, CA 95148

Mr. Lester Sachs
1905 The Alameda #2
San Jose, CA 95126-1428

Mr. Lewis C. Montgomery
CNA Global Runoff Managers
CNA Plaza - 9 North
Chicago, IL 60685-0001
Claim No. 301D3877

h:\docs\akma\cna39730.6\nagle2-1.99

GORDON & REES, LLP

ATTORNEYS AT LAW
EMBARCADERO CENTER WEST
275 BATTERY STREET
TWENTIETH FLOOR
SAN FRANCISCO, CA 94111
PHONE: (415) 986-5900
FAX: (415) 986-8054

MICHAEL D. BRUNO
MBRUNO@GORDONREES.COM

January 5, 1999

Gerald E. Brunn, Esq.
Brunn & Flynn
PO Box 3366
Modesto, CA 95354

Re: Edgewater Isle HOA v. The Anden Group, et al.
San Mateo County Superior Court
Civil Action No. 388872
Daniel Smith Plastering

Dear Gerry:

Enclosed please find Special Master William Nagle's bill dated May 1, 1998. You will note on the last page that Daniel Smith Plastering's share is $1,800 when the past due amount of $698.45 is subtracted. This past due amount has been paid.

Very truly yours,

GORDON & REES, LLP

Michael D. Bruno

Enclosure

L:\COVERAGE\CLIENT\WAU\57-141\CORRESP\BRUNN.MDB

RECEIVED
JAN - 8 1999
BRUNN & FLYNN

WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVENUE, SUITE 204
BURLINGAME, CA 94010
(650) 579-0500
FAX (650) 579-0623

TAXPAYER ID #943233684

May 1, 1998

File Name Edgewater Isle v. Anden Group
Our File No. 5074

Invoice No. 10408

Services rendered as Special Master:

			Hours
8/4/97	CB	Telephone calls with counsel re Discovery Committee meeting and proposed Order	0.50
	CB	Receive and review correspondence from Michael Allen re Substitution of Attorneys	0.10
8/5/97	WLN	Office conference and telephone call with counsel	0.60
	CB	Receive and review correspondence from Michael Allen re document depository	0.10
8/7/97	WLN	Discovery Committee meeting; review correspondence; office conference with counsel	1.50
	CB	Attention to PTO #32, including coordination and calendar arrangements and telephone call with Court; fax to all counsel	1.00
8/11/97	JWT	Telephone call with Court re Status Conference	0.30
8/14/97	JWT	Correspondence to all counsel re Status Conference; fax to all counsel	1.00
8/18/97	CB	Receive and review correspondence from Anthony Varni re Settlement Conference; receive and review correspondence from Marisa D'Amico re proposed Order; receive and review correspondence from Lewis Loss re Settlement Conference; receive and review Answer to First Amended Complaint; receive and review correspondence and proposed Order from Thomas Miller; receive and review correspondence from Sandy Kaplan re dismissal of Ash Roofing; receive and review Notice of Appearance; attention to proof of service; receive and review correspondence from Michael Allen re response to Motion	1.80

			Hours
8/22/97	CB	File and serve PTO #32; receive and review plaintiff's Motion to Augment Expert Witness List	1.00
8/26/97	CB	Receive and review Statement of Insurance	0.10
8/27/97	CB	Receive and review correspondence from Michael Quinlivan re Sierra Precast; receive and review Notice of Appearance; attention to proof of service; attention to PTO #33; telephone call with Court	0.80
8/28/97	CB	Receive and review Answer; attention to proof of service; receive and review Oppositions to Motion to Augment	0.40
8/29/97	CB	Correspondence to all counsel re Discovery Committee meeting and hearing on Motion	0.40
8/30/97	CB	Attention to Amended PTO #32 and 33; correspondence to all counsel	1.50
9/3/97	JWT	Telephone calls with counsel re Motions	0.30
	WLN	Receive and review plaintiff's Motion to Augment Experts; Status Conference, including preparation; memo to file; instructions to paralegal re preparation of PTO	5.00
9/4/97	CB	Receive and review Notice of Appearance; attention to proof of service; receive and review proposed PTO; telephone call with Marisa D'Amico	0.50
9/5/97	CB	Receive and review correspondence from Gregory Patterson; receive and review Notice of Appearance; attention to proof of service	0.30
9/10/97	CB	Receive and review miscellaneous pleadings	0.20
9/11/97	CB	Receive and review Scope of Work Statement; receive and review Notices of Person Most Knowledgable	0.20
9/12/97	WLN	Status Conference, including preparation; memo to file; instructions to paralegal re preparation of PTO	4.00
9/15/97	CB	Receive and review Notice of Person Most Knowledgable	0.10
9/16/97	CB	Receive and review Expert Disclosures	0.10
9/17/97	CB	Receive and review correspondence from Michael Higginbotham re Ruth & Going; receive and review Disclosure of Person Most Knowledgable, Notice of Appearance, Scope of Work Statement, Statement of Insurance, and Notice of Production of Documents; attention to proof of service	0.60
9/18/97	CB	Receive and review Notice of Appearance and Answer to Amended Complaint; attention to proof of service	0.20

			Hours
9/19/97	CB	Attention to instructions from Special Master re proposed Order; telephone call with Marisa D'Amico re revisions to proposed Order; attention to PTO #36	1.00
9/22/97	CB	Receive and review Scope of Work Statement and Notice of Production of Documents; receive and review correspondence from plaintiff counsel re testing	0.20
9/23/97	CB	Receive and review Objection to proposed Order #35; fax PTO #34 and #36 to all counsel	0.50
9/24/97	CB	Receive and review correspondence from plaintiff counsel re testing schedule	0.10
	CB	Receive and review Expert Declaration and Notices of Person Most Knowledgable	0.10
9/26/97	CB	Receive and review Notice of Person Most Knowledgable	0.10
9/29/97	CB	Receive and review miscellaneous pleadings; attention to proof of service; prepare agenda for conference call, including file review	1.00
9/30/97	WLN	Conference call, including file review	1.50
	CB	Receive and review Notice of Person Most Knowledgable; re Melissa Bruzzano	0.20
10/1/97	CB	File and serve Amended PTO #32 and PTO #33; attention to PTO #35, including coordination and calendar arrangements and numerous telephone calls with counsel; fax to all counsel; attention to indexing, document organization & filing	3.50
10/2/97	CB	Receive and review objection to proposed PTO; receive and review correspondence from Thomas Miller re plaintiff's demand; receive and review Notice of Person Most Knowledgable, Notice of Appearance, and Substitution of Attorneys; attention to proof of service	0.30
10/3/97	CB	Receive and review correspondence from Joe Huber; attention to proof of service	0.20
10/7/97	WLN	Status Conference, including preparation; memo to file; instructions to paralegal re preparation of PTO	3.00
	CB	Receive and review Notice of Production of Documents and Supplementary Expert Disclosure; receive and review Notice of Appearance; attention to proof of service; receive and review correspondence from counsel re homeowner depositions	0.30

		Hours
10/8/97 CB	File and serve PTO #35	0.80
10/9/97 CB	Receive and review correspondence from Melissa Bruzzano re discovery to plaintiff; receive and review correspondence from Marisa D'Amico re homeowner depositions; attention to proof of service	0.30
10/10/97 CB	Receive and review Answer; attention to proof of service; receive and review correspondence from plaintiff counsel re homeowner questionnaires	0.20
10/15/97 CB	Receive and review Notice of Production of Documents; receive and review correspondence from John Bevan re discovery schedule	0.20
10/16/97 WLN	Receive and review correspondence from Chet Moore re plaintiff's documents	0.10
10/17/97 CB	Receive and review correspondence and proposed PTO from Thomas Schofield; receive and review interrogatories; file and serve PTO #34 and #36	1.20
10/20/97 WLN	Receive and review Motion to Dismiss and plaintiff's Final Defect List	0.30
10/21/97 CB	Receive and review Notice of Production of Documents	0.10
10/22/97 WLN	Conference call, including preparation; memo to file; instructions to paralegal	0.50
10/23/97 CB	Receive and review Motion to Dismiss; receive and review correspondence from counsel	0.20
10/24/97 CB	Receive and review Notice of Production of Documents	0.10
10/27/97 CB	Receive and review miscellaneous pleadings	0.20
10/28/97 CB	Receive and review correspondence from counsel	0.20
10/29/97 CB	Attention to proposed PTO including telephone calls with counsel; receive and review correspondence from counsel	0.50
10/30/97 CB	Receive and review Statement of Insurance	0.10
10/31/97 CB	Receive and review correspondence from counsel; attention to proof of service	0.40

			Hours
11/3/97	CB	Receive and review Motion to Dismiss	0.10
11/4/97	CB	Receive and review correspondence from counsel	0.10
11/5/97	CB	Receive and review Association of Attorney; attention to proof of service; receive and review correspondence from counsel	0.30
11/7/97	CB	Receive and review correspondence from counsel; attention to proof of service	0.30
11/10/97	CB	Receive and review Notice of Production of Documents; receive and review correspondence from counsel	0.10
11/11/97	CB	Trial Setting Conference with counsel re privileged documents; receive and review correspondence from counsel	0.50
11/12/97	CB	Receive and review correspondence from counsel; attention to proof of service	0.30
11/13/97	SSG	In camera review of privileged documents; memo to file	2.50
	SSG	Settlement Conference with counsel regarding selected issues	2.00
	CB	File and serve PTO #37, 38 and 39	1.50
	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal re preparation of PTO	8.00
11/14/97	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal re preparation of PTO	8.00
11/17/97	CB	File and serve PTO #40; receive and review miscellaneous pleadings	0.80
	WLN	Telephone call with counsel	0.30
11/18/97	CB	Receive and review correspondence from counsel	0.10
11/21/97	CB	Receive and review correspondence from counsel; receive and review Association of Attorney; attention to proof of service	0.30
11/25/97	CB	Receive and review correspondence from counsel; receive and review miscellaneous pleadings; attention to proof of service	0.40
11/26/97	WLN	Receive and review briefs; conference call with counsel; memo to file; review prior Orders re inspections and testing	1.50
	CB	Receive and review correspondence from counsel and miscellaneous pleadings	0.20
12/1/97	CB	Receive and review correspondence from counsel; telephone calls with counsel re skeding	0.30

			Hours
12/2/97	WLN	Conference call with counsel including preparation; memo to file; instructions to paralegal	1.00
12/3/97	WLN	Review Discovery Order; review correspondence; instructions to paralegal	1.00
	CB	File and serve PTO #41; receive and review proposed PTO #42	1.00
12/4/97	CB	Receive and review correspondence from counsel	0.10
12/8/97	CB	Receive and review correspondence from counsel and miscellaneous pleadings	0.40
	CB	Receive and review correspondence from counsel	0.10
12/10/97	CB	Attention to counsel's request re Person Most Knowledgable deposition including correspondence; memo to file; receive and review correspondence from counsel and miscellaneous pleadings	0.70
12/11/97	CB	Receive and review correspondence from counsel	0.20
12/15/97	CB	Receive and review correspondence from counsel; attention to proof of service; attention to proposed PTO	0.50
12/18/97	CB	Receive and review correspondence from counsel; receive and review miscellaneous pleadings; preparation of conference call agenda including telephone calls with counsel	1.30
	WLN	Receive and review correspondence and motions; conference call with counsel; instructions to paralegal re preparation of PTO	2.00
12/19/97	CB	Attention to instructions from Special Master re PTO #43; fax to all counsel; attention to indexing, document organization & filing	3.00
	CB	Receive and review correspondence from counsel	0.10
12/30/97	CB	Receive and review miscellaneous pleadings; attention to proof of service; receive and review correspondence from counsel	0.40
1/5/98	CB	Receive and review miscellaneous pleadings; attention to indexing, document organization & filing	2.00
1/6/98	WLN	Conference call with counsel; memo to file	0.40
	CB	Attention to revised PTO; arrange conference call	0.40
1/7/98	CB	Receive and review correspondence from counsel; attention to proposed PTO	0.30
	CB	Receive and review correspondence from counsel; attention to proposed PTO	0.30

			Hours
1/8/98	WLN	Conference call with counsel including preparation; memo to file; instructions to paralegal	0.70
1/9/98	WLN	Telephone call with counsel	0.30
	CB	Receive and review correspondence from counsel	0.10
	CB	Receive and review correspondence from counsel	0.10
1/12/98	WLN	Calls with counsel; correspondence to counsel	1.00
	CB	Receive and review correspondence from counsel; receive and review miscellaneous pleadings; attention to proof of service	0.30
	WLN	Calls with counsel; correspondence to counsel	1.00
	CB	Receive and review correspondence from counsel; receive and review miscellaneous pleadings; attention to proof of service	0.30
1/13/98	CB	Attention to PTO's; telephone calls with counsel; receive and review miscellaneous pleadings	2.00
	WLN	Telephone call with counsel; attention to requests for Orders	1.00
1/15/98	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	7.00
1/16/98	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	8.00
1/19/98	CB	File and serve PTO #47	0.80
1/20/98	CB	Receive and review miscellaneous pleadings; receive and review correspondence from counsel; attention to proof of service	0.20
1/21/98	CB	Receive and review miscellaneous pleadings; attention to proof of service	0.20
1/26/98	JWT	Numerous telephone calls with counsel re scheduling for Settlement Conference	0.40
1/28/98	WLN	Conference with counsel	0.40
1/29/98	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	8.00
1/30/98	SSG	Status Conference with consultants and counsel re soils/foundation issues; memo to file	3.50
	CB	Receive and review miscellaneous pleadings	0.10
	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal re preparation of PTO; calls to Court	6.50

			Hours
2/2/98	WLN	Attention to file including dictate lengthy notes re settlement possibilities with subs; instructions to paralegal	2.50
2/3/98	CB	Receive and review correspondence from counsel; attention to instructions from Special Master re PTO #50 and #51; telephone calls with counsel	3.50
2/6/98	WLN	Calls with counsel, claimspeople, and Court; instructions to paralegal; memo to file	1.00
2/9/98	CB	Receive and review correspondence from counsel	0.10
2/11/98	CB	Receive and review correspondence from counsel	0.10
2/13/98	CB	Receive and review proposed PTO	0.30
2/17/98	WLN	Receive and review correspondence; telephone call with counsel	0.50
2/18/98	CB	Receive and review correspondence from counsel	0.10
2/19/98	CB	File and serve PTO #49 and #50	1.00
2/20/98	CB	Attention to proposed PTO; arrange conference call	0.50
	WLN	Attention to file including conference call with counsel; instructions to paralegal; memo to file; telephone call with counsel and claimspeople	1.00
2/25/98	CB	File and serve PTO #52; receive and review correspondence from counsel	1.00
2/26/98	CB	Receive and review correspondence from counsel	0.10
2/27/98	CB	Telephone calls with counsel; receive and review correspondence from counsel; receive and review miscellaneous pleadings including proposed PTO	0.70
	CB	File and serve PTO #51	0.80
2/28/98	CB	Receive and review miscellaneous pleadings	0.10
	WLN	Memo to file; instructions to paralegal	0.40
3/3/98	CB	Attention to instructions from Special Master re PTO #54; receive and review correspondence from counsel	1.00
3/5/98	CB	File and serve PTO #53	0.80
3/6/98	CB	Attention to instructions from Special Master re PTO #54; telephone calls with counsel	2.00
3/11/98	WLN	Conference call; review statements and correspondence	1.00
3/12/98	CB	Attention to instructions from Special Master re PTO #55; fax to all counsel	1.00
3/16/98	CB	Receive and review correspondence from counsel	0.10
	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	9.00

			Hours	
3/17/98	CB	Receive and review miscellaneous pleadings; attention to proof of service	0.10	
	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	8.00	
3/18/98	CB	Receive and review correspondence from counsel; attention to proof of service	0.10	
3/19/98	CB	File and serve PTO #54	0.80	
	CB	Receive and review correspondence from counsel	0.10	
3/24/98	CB	Receive and review correspondence from counsel; receive and review miscellaneous pleadings	0.20	
3/25/98	CB	File and serve PTO #55	0.80	
3/30/98	CB	Receive and review correspondence from counsel; attention to proposed PTO; telephone calls with counsel	0.50	
3/31/98	CB	Receive and review correspondence from counsel; telephone call with counsel	0.30	
4/1/98	CB	Receive and review miscellaneous pleadings	0.10	
4/6/98	CB	Receive and review miscellaneous pleadings	0.10	
4/7/98	CB	Receive and review correspondence from counsel; telephone call with counsel	0.30	
	WLN	Telephone call with Randy Wulff re settlement possibilities	0.40	
4/8/98	WLN	Telephone call with Randy Wulff re settlement possibilities	0.30	
4/9/98	CB	Receive and review correspondence from counsel	0.10	
4/13/98	CB	Receive and review correspondence from counsel; telephone call with counsel; telephone call with Court	0.50	
4/15/98	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	0.50	
4/16/98	CB	Attention to proposed PTO #56, PTO #57, and Order re Settlement; fax PTO #57 to all counsel; telephone calls	3.50	
	WLN	Settlement Conference, including preparation; memo to file; instructions to paralegal	1.00	
4/23/98	CB	Attention to revised PTO; fax to all counsel	1.00	
4/29/98	WLN	Correspondence to counsel; closing dictation; prepare file to be closed; reserve for post-closure activity	5.00	
				Amount
	Total fees		177.00	$43,453.50

Costs:

	Amount
12/18/97- conference call expenses	24.09
2/20/98- conference call expenses	53.19
4/29/98- miscellaneous administrative costs, including telephone, fax, photocopies, postage, travel, tolls, etc.	3,042.00
Total costs	$3,119.28
Total fees and costs	$46,572.78

A number of factors are taken into consideration when preparing the allocation of this bill, including the parties' relative exposure, contributions to settlement, time spent with individual parties, and ability to pay.

A service charge will be imposed on any account balance not paid within 30 days after the date of first billing at the rate of 1-1/2% per month (18% per annum), but not exceeding the maximum allowed by law.

WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVENUE, SUITE 204
BURLINGAME, CA 94010
TELEPHONE (650) 579-0500
FACSIMILE (650) 579-0629

TAXPAYER ID # 94-3233684

Edgewater Isle HOA v. Anden Group

Our File No. 5074

May 1, 1998

Invoice No. 10408

TOTAL FEES & COSTS $ 46,572.78

Alcal Roofing	1,500.00
Anden Group	10,936.39
B.L. Cohen Landscaping	750.00
C. Aparicio Cement includes credit of $598.26	101.74
Carlos Rodriguez Painting	1,500.00
Conco Cement	1,500.00
Daniel Smith Plastering includes past due of $698.45	2,498.45
Edgewater Isle HOA	10,936.39
Fisk, Firenze & McLean	2,000.00
Melvin Lee & Associates	1,500.00
Mission Drywall includes past due of $673.20	3,473.20
O'Brien & Hicks	4,500.00
Ruth & Going	2,800.00
San Carlos Sheet Metal	1,800.00
Silva Fence	1,000.00
Tara Coatings includes past due of $201.98	2,001.98
Technibuilders Iron	750.00

PLEASE ATTACH A COPY OF THIS SHEET WITH PAYMENT

CNA PLAZA
9N
CHICAGO IL 60685

CNA

GERALD BRUNN % BRUNN & FLYNN

P O BOX 3366
MODESTO CA 95353

RECEIVED
JAN 27 1999
BRUNN & FLYNN

* To expedite handling of your claim, please include our claim number on all future correspondence to us.							Claim Number * 30 1D3877DH
Insured/Client: DANIEL SMITH PLASTERING		Claimant: EDGEWATER ISLE HOA					ATT: 01/22/99
Date of Loss	Total WC Ind to Date	From - thru Dates	Suff/DT	TRAN Code	EXP	Pay Code	Amount
05/21/93			011	26	MS		$180.00
							$180.00

Reason
PRORATA SHARE: INV #10408

To ensure timely delivery of your check, please verify that the address on this check is complete and correct. If not, please notify your claims representative with the correct information. Thank you.

AIBLXX 6.3.98

PLEASE DETACH BEFORE CASHING

CNA

Continental Insurance Company
Chicago, IL 60685

UNDERWRITTEN BY:
BUCKEYE UNION INSURANCE COMPANY

011877669
Date Issued
01/22/99

51-44
119
Bank Acct.
0052026

VOID IF PURPLE BACKGROUND IS ABSENT **THIS DOCUMENT CONTAINS A WATERMARK - HOLD UP TO LIGHT TO VIEW**

Claim Number	Desk Code	Insured/Client	Issuing Off. No.
30 1D3877	DH	DANIEL SMITH PLASTERING	ER
Prefix & Contract No.		Claimant	Date of Loss
PCI -PCI 0003006		EDGEWATER ISLE HOA	05/21/93
Work Comp. Ind From-thru (Dates) In Payment of		PRORATA SHARE: INV #10408	

PAY ONE HUNDRED EIGHTY AND NO/100THS Dollars

Dollars . Cents
********$180.00

TO THE ORDER OF
WILLIAM L. NAGLE
SPECIAL MASTER/MEDIATOR
345 LORTON AVE STE 204
BURLINGGAME CA 94010

FLEET BANK Hartford, Connecticut

VOID IF NOT CASHED IN SIX MONTHS FROM MONTH OF ISSUE

⑈011877669⑈ ⑆011900445⑆ 52026⑈

PROOF OF SERVICE
(1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA, COUNTY OF STANISLAUS

I, **HEATHER J. McCAULEY**, declare that:

I am employed in the County of Stanislaus, California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 928 12th Street, Suite 200, Modesto, California, 95353.

On **March 19, 1999**, I served the within:

RESPONSE TO ORDER TO SHOW CAUSE; DECLARATION OF GERALD E. BRUNN

on the interested parties as follows:

Mr. Michael D. Bruno
Gordon & Rees, LLP
Embarcadero Center West
275 Battery Street, 20th Floor
San Francisco, CA 94111

William L. Nagle
Special Master/Mediator
345 Lorton Avenue, Suite 204
Burlingame, CA 94010

The following is the procedure in which service of this document was effected:

XXXXX U.S. Postal Service by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing mail in accordance with this office's practice, whereby the mail is deposited in a U.S. Mailbox in the City of Modesto, California after the close of the day's business.

_____ United Parcel Service - Next Day Air

_____ Express Mail

_____ FAX

_____ Certified Mail - Return Receipt Requested

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

Executed on **March 19, 1999**, at Modesto, California.

Heather J. McCauley

HEATHER J. McCAULEY

LAW & MOTION

FILE PREPARATION LOG

CASE NAME Edgewater vs Anden Groups

CASE # 388872 HRG DATE MAR 25 1999

- ✓ Moving papers tagged with red tag
- ✓ Proof of Service filed regarding moving papers
- ✓ File in chronological order
- ✓ Notice of hearing in file
- ✓ Minute form submitted with file
- ✓ File checked for misfilings
- _____ Documents missing (list)

FUTURE CALENDAR EVENTS DATE

FILE VERIFIED BY: REBECCA GONZALEZ DATE MAR 19 1999

S. MITCHELL KAPLAN (SBN 095065)
MICHAEL D. BRUNO (SBN 166805)
GORDON & REES, LLP
Embarcadero Center West
275 Battery Street, Twentieth Floor
San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054

Attorneys for Defendant and Cross-Defendant DANIEL SMITH PLASTERING

FILED
SAN MATEO COUNTY
MAR 18 1999
Clerk of the Superior Court
By Deputy Clerk

SOR 3-25-99

SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al.,

Plaintiffs,

vs.

THE ANDEN GROUP, et al.,

Defendants.

AND RELATED CROSS-ACTION.

CASE NO. 388872

DANIEL SMITH PLASTERING'S BRIEF IN RESPONSE TO ORDER TO SHOW CAUSE

ACCOMPANYING PAPER:
Declaration of Michael D. Bruno

Date: March 25, 1999
Time: 9:30 a.m.
Dept.: Presiding Judge

GORDON & REES, LLP
ATTORNEYS AT LAW
TWENTIETH FLOOR, EMBARCADERO CENTER WEST
275 BATTERY STREET
SAN FRANCISCO, CALIFORNIA 94111
(415) 986-5900

When the parties finally settled this case, it was DANIEL SMITH PLASTERING's ("DSP") understanding, as communicated by the mediator, confirmed at the good faith settlement motion hearing, and memorialized in the written settlement agreement, that all parties to the settlement would execute the settlement agreement. DSP has at all times been willing to adhere to this agreement.

Counsel for THE ANDEN GROUP has informed DSP that a signatory from the general contractor/developer, O'BRIEN & HICKS,

MUNICIPAL COURTS
1999 MAR 18 P 4:41

will not sign the settlement agreement, creating a situation where DSP would release all parties, including O'BRIEN & HICKS, in exchange for something less than that for which DSP bargained at the mediation. A perusal of the settlement agreement shows a signature line for O'BRIEN & HICKS, a clear indication that all parties believed that O'BRIEN & HICKS would sign the settlement agreement and release all parties to the extent they released O'BRIEN & HICKS.

When it became clear that O'BRIEN & HICKS would not sign the settlement agreement, DSP and its counsel did not seek to scuttle the settlement, or to avoid signing a settlement release. Rather, they appropriately requested of THE ANDEN GROUP a modification of the release such that DSP would release all parties for all claims whatsoever, and would release O'BRIEN & HICKS only to the extent that O'BRIEN & HICKS released DSP. Instead of working on a solution along these lines, counsel for THE ANDEN GROUP simply reasserted that it was appropriate for DSP to release O'BRIEN & HICKS even though O'BRIEN & HICKS would not sign the settlement agreement. The arrangement THE ANDEN GROUP proposes is indisputably different from that for which DSP bargained at the mediation, and that which was represented to the judge at the motion for good faith settlement determination.

It is anticipated that counsel for THE ANDEN GROUP, and possibly counsel for other parties, will make much of the argument that DSP does not "need" to have O'BRIEN & HICKS sign the settlement agreement, because O'BRIEN & HICKS has dismissed

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with prejudice all of its claims. This arrangement is not acceptable to DSP because it is different from that for which DSP bargained. Nevertheless, in attempting to rectify this situation, DSP has offered an alternative scheme which would satisfy everyone's concerns. Unwilling to undertake the minimal additional work to redraft the release to reflect that DSP would release O'BRIEN & HICKS only to the extent that O'BRIEN & HICKS released DSP, counsel for THE ANDEN GROUP has failed to consummate this settlement.

DSP is willing, as it has always been, to sign the settlement agreement as long as it is modified so that DSP does not encounter a situation where it paid many thousands of dollars for a full release, and did not get one.

DATED: March 16, 1999

GORDON & REES, LLP

By: Michael D. Bruno
Attorneys for Defendant and Cross-Defendant
DANIEL SMITH PLASTERING

L:\COVERAGE\CLIENT\WAU\57-141\PLEADING\BRF-OSC.MDB

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(415) 986-5900

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Gordon & Rees, LLP, 275 Battery Street, San Francisco, California 94111. On March 18, 1999, I served the within document(s):

BRIEF IN RESPONSE TO ORDER TO SHOW CAUSE; SUPPORTING DECLARATION OF MICHAEL D. BRUNO

☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

See attached list

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the 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 in affidavit.

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

Executed on March 18, 1999, at San Francisco, California.

Barbara Westburg

Edgewater Isle HOA v. The Ande[illegible] Group, et al.
SERVICE LIST:

William L. Nagle
Special Master/Mediator
345 Lorton Avenue #204
Burlingame, CA 94010

Thomas A. Miller
OFFICES OF THOMAS E. MILLER
4685 MacArthur Court, Ste. 220
Newport Beach, CA 92660

J. Scott Wood
BISHOP, BARRY, ET AL.
2000 Powell Street, Ste. 1425
Emeryville, CA 94806

Chester G. Moore, III
LOW, BALL & LYNCH
10 Twin Dolphin Road #B-500
Redwood City, CA 94065

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Concord, CA 94520

David N. Poll
COLLINS & SCHLOTHAUER
60 South Market, Ste. 1100
San Jose, CA 95113-2369

Norman La Force
LAW OFFICES F. ROSS ADKINS
25 Pacific Avenue Mall
San Francisco, CA 94111

Donald L. Sullivan
CLAPP, MORONEY, BELLAGAMBA, DAVIS & VUCINICH
4400 Bohannon Drive, Ste. 100
Menlo Park, CA 94025

Howard L. Churchill
SCHOFIELD & SCHILLER
100 Pringle Avenue, Ste. 510
Walnut Creek, CA 94596

Albert P. Blake
ROGER, SCOTT & HELMER
900 Veterans Blvd., Ste. 430
Redwood City, CA 94063

S. MITCHELL KAPLAN (SBN 095065)
MICHAEL D. BRUNO (SBN 166805)
GORDON & REES, LLP
Embarcadero Center West
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San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054

Attorneys for Defendant and Cross-Defendant DANIEL SMITH PLASTERING

FILED
SAN MATEO COUNTY
MAR 18 1999
Clerk of the Superior Court
By Dianne Ramen
DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al.,

Plaintiffs,

vs.

THE ANDEN GROUP, et al.,

Defendants.

AND RELATED CROSS-ACTION.

CASE NO. 388872

DECLARATION OF MICHAEL D. BRUNO

ACCOMPANYING PAPER: Daniel Smith Plastering's Brief in Response to Order to Show Cause

Date: March 25, 1999
Time: 9:30 a.m.
Dept.: Presiding Judge

I, Michael D. Bruno, declare:

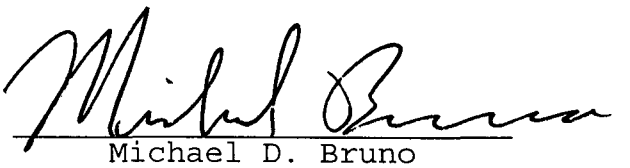
1. I am an attorney at law licensed to practice before all courts of the State of California and am an associate in the law firm of Gordon & Rees, LLP, attorneys for Defendant and Cross-Defendant DANIEL SMITH PLASTERING.

2. I have personal knowledge of the matters contained in this declaration and if called to testify thereto could and would do so competently.

GORDON & REES, LLP
ATTORNEYS AT LAW
TWENTIETH FLOOR, EMBARCADERO CENTER WEST
275 BATTERY STREET
SAN FRANCISCO, CALIFORNIA 94111
(415) 986-5900

3. Attached hereto as Exhibit A is a true and correct copy of a letter I sent to THE ANDEN GROUP's counsel expressing in writing the frustration I had expressed on the phone several times, namely that O'BRIEN & HICKS would not sign the settlement agreement. I offered the alternative of redrafting a portion of the release to indicate that DANIEL SMITH PLASTERING would release O'BRIEN & HICKS only to the extent that it released DANIEL SMITH PLASTERING. Releasing O'BRIEN & HICKS without a similar release from O'BRIEN & HICKS has at all times been unacceptable to my client and contrary to that for which they bargained at the mediation.

4. I declare under penalty of perjury under the laws of the State of California that the matters in this declaration are true and correct. Executed this 16 day of March, 1999 at San Francisco, California.



Michael D. Bruno

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GORDON & REES, LLP

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SAN FRANCISCO, CA 94111
PHONE: (415) 986-5900
FAX: (415) 986-8054

MICHAEL D. BRUNO
MBRUNO@GORDONREES.COM

December 9, 1998

VIA FACSIMILE
J. Scott Wood
Bishop, Barry, Howe, Haney & Ryder
275 Battery Street, 12th Floor
San Francisco, CA 94111-3333

Re: ***Edgewater Isle HOA v. The Anden Group, et al.***
San Mateo County Superior Court Case No. 388872

Dear Mr. Wood:

Thank you for your December 7, 1998 fax.

The difficulty with signing this release is not that we did not agree to it, but that counsel for O'Brien & Hicks has now indicated that O'Brien & Hicks will not sign it. Neither of my clients, Fisk Firenze & McLean and Daniel Smith Plastering, will sign the release as drafted unless O'Brien & Hicks signs it. Alternatively, my clients are willing to sign a release which omits language releasing O'Brien & Hicks. My clients do not want to sign a release whereby they release O'Brien & Hicks and O'Brien & Hicks does not reciprocate.

There is no need to have a meeting with the Special Master which will serve to waste time and money, and we have done enough of that in this case already. I think the quickest, least expensive and agreeable solution is for your client to run another copy of the settlement agreement and release, excluding O'Brien & Hicks from the release language, and then offer that release for my clients to sign, which I will happily recommend that they do. This solution requires very little effort on the part of you and your firm and will save much attorney time for all parties involved. I can guarantee that simply trying to take the existing release and shove it down our throats will take more time and you will not enjoy my cooperation or that of my clients.

I look forward to hearing from you.

Very truly yours,

GORDON & REES, LLP

Michael D. Bruno

cc: *via facsimile*
John J. Carniato
Robert W. Cullen
John Bevan
Helen Baumann
Maria Caruana
Anthony J. DeMaria
Albert P. Blake
Norman LaForce
Donald L. Sullivan
David N. Poll
Lynn M. Diringer
Don Fornasier
Alan H. Finkel

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Joe 3-25-99

S. MITCHELL KAPLAN (SBN 095065)
MICHAEL D. BRUNO (SBN 166805)
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Embarcadero Center West
275 Battery Street, Twentieth Floor
San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054

Attorneys for Defendant and Cross-Defendant FISK, FIRENZE & McLEAN

FILED
SAN MATEO COUNTY
MAR 18 1999
Clerk of the Superior Court
By Dianne Tamura
DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al., Plaintiffs, vs. THE ANDEN GROUP, et al., Defendants. AND RELATED CROSS-ACTION.	CASE NO. 388872 **FISK, FIRENZE & McLEAN'S BRIEF IN RESPONSE TO ORDER TO SHOW CAUSE** **ACCOMPANYING PAPER:** **Declaration of Michael D. Bruno** Date: March 25, 1999 Time: 9:30 a.m. Dept.: Presiding Judge

GORDON & REES, LLP
ATTORNEYS AT LAW
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275 BATTERY STREET
SAN FRANCISCO, CALIFORNIA 94111
(415) 986-5900

When the parties finally settled this case, it was FISK, FIRENZE & McLEAN's ("FFM") understanding, as communicated by the mediator, confirmed at the good faith settlement motion hearing, and memorialized in the written settlement agreement, that all parties to the settlement would execute the settlement agreement. FFM has at all times been willing to adhere to this agreement.

Counsel for THE ANDEN GROUP has informed FFM that a signatory from the general contractor/developer, O'BRIEN & HICKS,

will not sign the settlement agreement, creating a situation where FFM would release all parties, including O'BRIEN & HICKS, in exchange for something less than that for which FFM bargained at the mediation. A perusal of the settlement agreement shows a signature line for O'BRIEN & HICKS, a clear indication that all parties believed that O'BRIEN & HICKS would sign the settlement agreement and release all parties to the extent they released O'BRIEN & HICKS.

When it became clear that O'BRIEN & HICKS would not sign the settlement agreement, FFM and its counsel did not seek to scuttle the settlement, or to avoid signing a settlement release. Rather, they appropriately requested of THE ANDEN GROUP a modification of the release such that FFM would release all parties for all claims whatsoever, and would release O'BRIEN & HICKS only to the extent that O'BRIEN & HICKS released FFM. Instead of working on a solution along these lines, counsel for THE ANDEN GROUP simply reasserted that it was appropriate for FFM to release O'BRIEN & HICKS even though O'BRIEN & HICKS would not sign the settlement agreement. The arrangement THE ANDEN GROUP proposes is indisputably different from that for which FFM bargained at the mediation, and that which was represented to the judge at the motion for good faith settlement determination.

It is anticipated that counsel for THE ANDEN GROUP, and possibly counsel for other parties, will make much of the argument that FFM does not "need" to have O'BRIEN & HICKS sign the settlement agreement, because O'BRIEN & HICKS has dismissed

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with prejudice all of its claims. This arrangement is not acceptable to FFM because it is different from that for which FFM bargained. Nevertheless, in attempting to rectify this situation, FFM has offered an alternative scheme which would satisfy everyone's concerns. Unwilling to undertake the minimal additional work to redraft the release to reflect that FFM would release O'BRIEN & HICKS only to the extent that O'BRIEN & HICKS released FFM, counsel for THE ANDEN GROUP has failed to consummate this settlement.

FFM is willing, as it has always been, to sign the settlement agreement as long as it is modified so that FFM does not encounter a situation where it paid many thousands of dollars for a full release, and did not get one.

DATED: March 16, 1999

GORDON & REES, LLP

By: Michael D. Bruno
Attorneys for Defendant and Cross-Defendant
FISK, FIRENZE & McLEAN

L:\COVERAGE\CLIENT\WAU\57-139\PLEADING\BRF-OSC.MDB

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SAN FRANCISCO, CALIFORNIA 94111
(415) 986-5900

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Gordon & Rees, LLP, 275 Battery Street, San Francisco, California 94111. On March 18, 1999, I served the within documents:

BRIEF IN RESPONSE TO ORDER TO SHOW CAUSE; SUPPORTING DECLARATION OF MICHAEL D. BRUNO

☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

See attached list

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the 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 in affidavit.

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

Executed on March 18, 1999, at San Francisco, California.

Barbara Westburg

Edgewater Isle HOA v. The Anden Group, et al.
SERVICE LIST:

William L. Nagle
Special Master/Mediator
345 Lorton Avenue #204
Burlingame, CA 94010

Thomas A. Miller
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4685 MacArthur Court, Ste. 220
Newport Beach, CA 92660

J. Scott Wood
BISHOP, BARRY, ET AL.
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Emeryville, CA 94806

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Russell, Kazan, Brenner & Mallett
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Donald B. Fornasier
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Walnut Creek, CA 94596

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FILICE & DeMARIA
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ROGER, SCOTT & HELMER
900 Veterans Blvd., Ste. 430
Redwood City, CA 94063

S. MITCHELL KAPLAN (SBN 095065)
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San Francisco, CA 94111
Telephone: (415) 986-5900
Facsimile: (415) 986-8054

Attorneys for Defendant and Cross-Defendant FISK, FIRENZE & McLEAN

FILED
SAN MATEO COUNTY
MAR 18 1999
Clerk of the Superior Court
By DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN MATEO

EDGEWATER ISLE HOMEOWNERS ASSOCIATION, INC., et al., Plaintiffs, vs. THE ANDEN GROUP, et al., Defendants. AND RELATED CROSS-ACTION.	CASE NO. 388872 **DECLARATION OF MICHAEL D. BRUNO** **ACCOMPANYING PAPER: FISK, FIRENZE & McLEAN's Brief in Response to Order to Show Cause** Date: March 25, 1999 Time: 9:30 a.m. Dept.: Presiding Judge

I, Michael D. Bruno, declare:

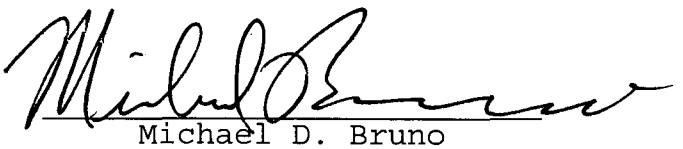
1. I am an attorney at law licensed to practice before all courts of the State of California and am an associate in the law firm of Gordon & Rees, LLP, attorneys for Defendant and Cross-Defendant FISK, FIRENZE & McLEAN.

2. I have personal knowledge of the matters contained in this declaration and if called to testify thereto could and would do so competently.

GORDON & REES, LLP
ATTORNEYS AT LAW
TWENTIETH FLOOR, EMBARCADERO CENTER WEST
275 BATTERY STREET
SAN FRANCISCO, CALIFORNIA 94111
(415) 986-5900

3. Attached hereto as Exhibit A is a true and correct copy of a letter I sent to THE ANDEN GROUP's counsel expressing in writing the frustration I had expressed on the phone several times, namely that O'BRIEN & HICKS would not sign the settlement agreement. I offered the alternative of redrafting a portion of the release to indicate that FISK, FIRENZE & McLEAN would release O'BRIEN & HICKS only to the extent that it released FISK, FIRENZE & McLEAN. Releasing O'BRIEN & HICKS without a similar release from O'BRIEN & HICKS has at all times been unacceptable to my client and contrary to that for which they bargained at the mediation.

4. I declare under penalty of perjury under the laws of the State of California that the matters in this declaration are true and correct. Executed this 16 day of March, 1999 at San Francisco, California..



Michael D. Bruno

L:\COVERAGE\CLIENT\WAU\57-139\PLEADING\BRF-OSC.DEC

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SAN FRANCISCO, CA 94111
PHONE: (415) 986-5900
FAX: (415) 986-8054

MICHAEL D. BRUNO
MBRUNO@GORDONREES.COM

December 9, 1998

VIA FACSIMILE
J. Scott Wood
Bishop, Barry, Howe, Haney & Ryder
275 Battery Street, 12th Floor
San Francisco, CA 94111-3333

Re: ***Edgewater Isle HOA v. The Anden Group, et al.***
San Mateo County Superior Court Case No. 388872

Dear Mr. Wood:

Thank you for your December 7, 1998 fax.

The difficulty with signing this release is not that we did not agree to it, but that counsel for O'Brien & Hicks has now indicated that O'Brien & Hicks will not sign it. Neither of my clients, Fisk Firenze & McLean and Daniel Smith Plastering, will sign the release as drafted unless O'Brien & Hicks signs it. Alternatively, my clients are willing to sign a release which omits language releasing O'Brien & Hicks. My clients do not want to sign a release whereby they release O'Brien & Hicks and O'Brien & Hicks does not reciprocate.

There is no need to have a meeting with the Special Master which will serve to waste time and money, and we have done enough of that in this case already. I think the quickest, least expensive and agreeable solution is for your client to run another copy of the settlement agreement and release, excluding O'Brien & Hicks from the release language, and then offer that release for my clients to sign, which I will happily recommend that they do. This solution requires very little effort on the part of you and your firm and will save much attorney time for all parties involved. I can guarantee that simply trying to take the existing release and shove it down our throats will take more time and you will not enjoy my cooperation or that of my clients.

I look forward to hearing from you.

Very truly yours,

GORDON & REES, LLP

Michael D. Bruno

cc: *via facsimile*
John J. Carniato
Robert W. Cullen
John Bevan
Helen Baumann
Maria Caruana
Anthony J. DeMaria
Albert P. Blake
Norman LaForce
Donald L. Sullivan
David N. Poll
Lynn M. Diringer
Don Fornasier
Alan H. Finkel

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