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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys Plaintiffs, Defendants, Cross-Defendants, and
Counter-Defendants FOX HOLLOW OF TURLOCK
OWNERS ASSOCIATION and CALIFORNIA
EQUITY MANAGEMENT GROUP, INC. and
Defendant, Cross-Defendant, and Counter-Defendant
ANDREW KATAKIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FOX HOLLOW OF TURLOCK
OWNERS' ASSOCIATION, a California
Nonprofit Mutual Benefit Corporation; et
al.,

Plaintiffs,

v.

MAUCTRST LLC; et. al.,

Defendants.

Case No. 1:03-CV-05439-OWW-DLB

(Consolidated with 1:03-CV-5774 OWW SMS
and Stanislaus County Superior Court Case No.
322675)

**ORDER GRANTING THE CEMG/FOX
HOLLOW PARTIES' MOTION FOR MORE
DEFINITE STATEMENT OF
COUNTERCLAIM OF LAIRTRUST, LLC**

AND CONSOLIDATED ACTIONS

The Motion of Plaintiffs, Defendants, Cross-Defendants, and Counter-Defendants FOX
HOLLOW OF TURLOCK OWNERS ASSOCIATION, CALIFORNIA EQUITY
MANAGEMENT GROUP, INC., and Defendant, Cross-Defendant, and Counter-Defendant
ANDREW KATAKIS (collectively, the "CEMG/Fox Hollow Parties") for More Definite
Statement of Counterclaim of LAIRTRUST, LLC [Docket # 485], having regularly come on for
hearing on April 12, 2011, with D. Greg Durbin appearing personally on behalf of the

12444/00001-1768850.v1

1 CEMG/Fox Hollow Parties and Steven R. Stoker appearing personally on behalf of
2 Counterclaimant LAIRTRUST, LLC; the Counterclaim of Counterclaimant LAIRTRUST, LLC
3 [Docket #471] having been stayed by the order filed herein on May 13, 2011, except for claims
4 arising out of "Plaintiffs' alleged conduct during and after trial of the state court action." [See
5 Docket #s 473, 563, 576]; the present motion being directed to the remaining unstayed claims
6 arising out of the CEMG/Fox Hollow parties' conduct during and after trial of the state court
7 action alleged in the Counterclaim, having been argued and submitted; the Court having issued
8 and served its Memorandum Decision on June 28, 2011 [Docket # 644], granting such Motion for
9 More Definite Statement; and the Court finding that LAIRTRUST, LLC'S allegations concerning
10 the unstayed claims that are the basis of all twelve causes of action asserted in the Counterclaim
11 are unclear from the face of the Counterclaim and because the majority of LAIRTRUST, LLC'S
12 Counterclaim has been stayed, which requires a more definite statement to permit the CEMG/Fox
13 Hollow Parties to frame a response:

14
15 NOW, THEREFORE, IT IS HEREBY ORDERED that:

16 1. The CEMG/Fox Hollow Parties' Motion for More Definite Statement of Counterclaim
17 of LAIRTRUST, LLC is GRANTED; and;

18 2. LAIRTRUST, LLC shall file an amended Counterclaim within thirty (30) days
19 following service of this Order.
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23 IT IS SO ORDERED.

24 Dated: July 6, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE