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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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JUL 23 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 **GREATER NAPA FAIR HOUSING CENTER, a California Not for Profit Corporation, doing business as FAIR HOUSING NAPA VALLEY, as an individual entity only; RUBY DUNCAN, an incompetent adult, by and through her Guardian Ad Litem, M. LOUISE WHITAKER; and EVA NORTHERN, an incompetent adult, by and through her Guardian ad Litem, NANCY NORTHERN, each individually and on behalf of individuals similarly situated; NANCY NORTHERN, in her individual capacity only; and M. LOUISE WHITAKER, in her individual capacity only,**

14 **Plaintiffs,**

15 **vs.**

16 **HARVEST REDWOOD RETIREMENT RESIDENCE, L.L.C., doing business as Redwood Retirement Residence; REDWOOD RETIREMENT RESIDENCE L.L.C.; and HOLIDAY RETIREMENT CORP.,**

17 **Defendants.**

Case No. **07-3652-MEJ**

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM; CONSENT OF NOMINEE; ORDER APPOINTING GUARDIAN AD LITEM

CLASS ACTION

BY FAX

18 Petitioner herein, Ruby Duncan, states as follows:

19 1. I am 100 years old, and I am about to commence litigation as a named
20 plaintiff in a class action in this Court against Redwood Retirement Residence.

21 2. I have multiple physical and cognitive disabilities, most of which are the
22 effects of old age. On many days I do not feel well enough to dress and leave my

23 **PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM, CONSENT OF NOMINEE, & ORDER**

1 apartment. I also have significant communication and perception impairments, which
2 limit my ability to understand and actively participate in conversations. Recently, I have
3 begun to experience severe memory loss and dementia, and I have difficult focusing on
4 anything other than simple thoughts.

5 3. As a result of my cognitive disabilities, I am not able to understand or fully
6 direct the course of this litigation.

7 4. For many years, my daughter, M. Louise Whitaker ("Lou"), has assisted me
8 with my financial affairs, medical issues, housing, and a wide variety of other matters.

9 5. I granted Lou durable power of attorney for purposes of my healthcare
10 decisions on December 27, 1999, and it continues to be enforceable.

11 6. Lou is willing and able to act as guardian ad litem for me for the purposes of
12 this litigation, as appears by her attached consent.

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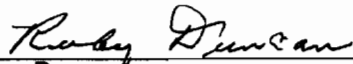
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Respectfully submitted,

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Dated: July 9, 2007

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Ruby Duncan

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CONSENT OF THE NOMINEE

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I, Louise Whitaker, the nominee of Petitioner Ruby Duncan, consent to act as
22 guardian ad litem for Ruby Duncan in the above action.

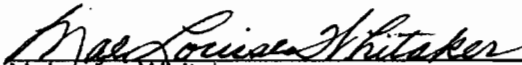
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Dated: July 9, 2007

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M. Louise Whitaker

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ORDER

The Petition for an Order appointing M. Louise Whitaker as guardian ad litem for
Petitioner Ruby Duncan is GRANTED.

IT IS SO ORDERED.

Dated: 7/23/07


United States District Court Judge
MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE