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6 Attorneys for Plaintiff
 PALMTREE ACQUISITION CORPORATION, a Delaware
 7 corporation f/k/a Catellus Development Corporation

8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 PALMTREE ACQUISITION CORPORATION, a
 Delaware corporation,

12 Plaintiff,

13 vs.

14 MICHAEL R. NEELY, an individual; PERRY J.
 15 NEELY, an individual; GARY NEELY, an
 individual; MICHAEL R. NEELY, PERRY J.
 16 NEELY and GARY NEELY dba MIKE'S ONE
 HOUR CLEANERS; CHARLES FREDERICK
 17 HARTZ dba PAUL'S SPARKLE CLEANERS;
 CHARLES F. HARTZ, an individual;
 18 MULTIMATIC CORPORATION, a New Jersey
 corporation; WESTERN STATES DESIGN, a
 19 California corporation; MCCORDUCK
 PROPERTIES LIVERMORE, LLC, a Delaware
 20 limited liability company individually and as the
 successor to JOHN MCCORDUCK, KATHLEEN
 21 MCCORDUCK, PAMELA MCCORDUCK,
 SANDRA MCCORDUCK MARONA, and IMA
 22 FINANCIAL CORPORATION, a California
 corporation; STARK INVESTMENT COMPANY,
 23 a California general partnership; GRUBB & ELLIS
 REALTY INCOME TRUST, LIQUIDATING
 24 TRUST, a California trust; and DOES 1-20,
 inclusive,

25 Defendants.
 26

CASE NO. CV 08 3168 MHP

**STIPULATION AND ~~PROPOSED~~
 ORDER TO FILE FIRST AMENDED
 COMPLAINT**

1 WHEREAS, plaintiff and all of the defendants who have appeared and are represented by
2 counsel desire to file the First Amended Complaint;

3 WHEREAS, defendant Grubb & Ellis Realty Income Trust, Liquidating Trust has not
4 appeared, is not represented by counsel and claims to have dissolved and to no longer exist;

5 WHEREAS, the First Amended Complaint adds as a defendant Northrop Grumman Systems
6 Corporation ("Northrop");

7 WHEREAS, the plaintiff and the defendants except for Grubb & Ellis Realty Income Trust,
8 Liquidating Trust, have reached a settlement with Northrop, and a condition of the settlement is that
9 this Court approve the settlement as a good faith settlement pursuant to California Code of Civil
10 Procedure Section 877.6;


11 WHEREAS, it is necessary to add Northrop as a defendant in order to obtain the good faith
12 determination from this Court.

13 THEREFORE, IT IS HEREBY STIPULATED by and between attorneys for plaintiff and the
14 defendants except for Grubb & Ellis Realty Income Trust, Liquidating Trust, that plaintiff be granted
15 leave to file the First Amended Complaint, a copy of which is attached as Exhibit A, on or before July
16 16, 2010.

17
18 APPROVED AS TO FORM AND CONTENT.

19
20
21 DATED: June 21, 2010

COX, CASTLE & NICHOLSON LLP

22
23 By: 
24 Stuart I. Block
25 Peter M. Morrisette
26 Attorneys for Plaintiff
27 PALMTREE ACQUISITION CORPORATION, a
28 Delaware corporation f/k/a Catellus Development
Corporation

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Bassi Martin Edlin & Blum LLP
BASSI-MARTIN EDLIN & BLUM, LLP

DATED: June __, 2010

By: 

Noel Edlin
Attorneys for Defendants
MICHAEL R. NEELY, an individual; PERRY J.
NEELY, an individual; GARY NEELY, an
individual; MICHAEL R. NEELY, PERRY J.
NEELY and GARY NEELY dba MIKE'S ONE
HOUR CLEANERS

DATED: June __, 2010

GONSALVES & KOZACHENKO

By: _____

Selena P. Ontiveros
Attorneys for Defendant
STARK INVESTMENT COMPANY, a California
general partnership

DATED: June __, 2010

DONGELL LAWRENCE FINNEY LLP

By: _____

Thomas F. Vandenburg
Attorneys for Defendant
MULTIMATIC CORPORATION, a New Jersey
corporation


1 DATED: June __, 2010

BASSI MARTINI EDLIN & BLUM, LLP

2
3
4 By: _____
Noel Edin
Attorneys for Defendants
5 MICHAEL R. NEELY, an individual; PERRY J.
6 NEELY, an individual; GARY NEELY, an
7 individual; MICHAEL R. NEELY, PERRY J.
NEELY and GARY NEELY dba MIKE'S ONE
8 HOUR CLEANERS

9 DATED: June ²¹, 2010

GONSALVES & KOZACHENKO

10
11 By:  _____
12 Selena P. Ontiveros
13 Attorneys for Defendant
14 STARK INVESTMENT COMPANY, a California
general partnership

15
16 DATED: June __, 2010

DONGELL LAWRENCE FINNEY LLP

17
18 By: _____
19 Thomas F. Vandenburg
20 Attorneys for Defendant
MULTIMATIC CORPORATION, a New Jersey
21 corporation

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DATED: June __, 2010

BASSI MARTINI EDLIN & BLUM, LLP

By: _____
Noel Edin
Attorneys for Defendants
MICHAEL R. NEELY, an individual; PERRY J.
NEELY, an individual; GARY NEELY, an
individual; MICHAEL R. NEELY, PERRY J.
NEELY and GARY NEELY dba MIKE'S ONE
HOUR CLEANERS

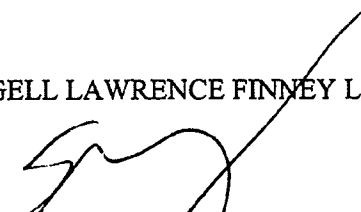
DATED: June __, 2010

GONSALVES & KOZACHENKO

By: _____
Selena P. Ontiveros
Attorneys for Defendant
STARK INVESTMENT COMPANY, a California
general partnership

DATED: June 23, 2010

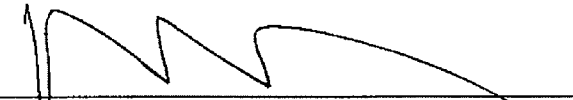
DONGELL LAWRENCE FINNEY LLP

By: _____

Thomas F. Vandenburg
Attorneys for Defendant
MULTIMATIC CORPORATION, a New Jersey
corporation

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DATED: June 22, 2010

ROGERS JOSEPH O'DONNELL

By: 
Robert C. Goodman
Attorneys for Defendant
CHARLES FREDERICK HARTZ dba PAUL'S
SPARKLE CLEANERS; CHARLES F. HARTZ,
an individual

DATED: June __, 2010

GORDON WATROUS RYAN LANGLEY BRUNO
& PALTENGI INC.

By: _____
Bruce Clinton Paltenghi
Attorneys for Defendant
MCCORDUCK PROPERTIES LIVERMORE,
LLC, a Delaware limited liability company
individually and as the successor to JOHN
MCCORDUCK, KATHLEEN MCCORDUCK,
PAMELA MCCORDUCK, SANDRA
MCCORDUCK MARONA, and IMA
FINANCIAL CORPORATION, a California
corporation

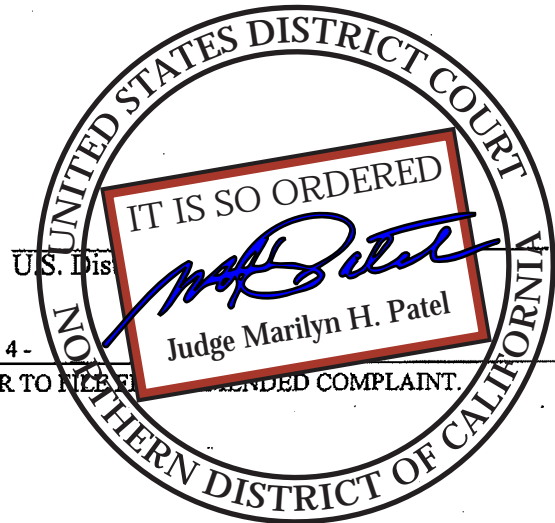
DATED: June __, 2010

FOLEY MCINTOSH FREY & CLAYTOR

By: _____
Jim Claytor
Attorneys for Defendant
WESTERN STATES DESIGN, a California
corporation

IT IS SO ORDERED

Dated: 7/6/2010



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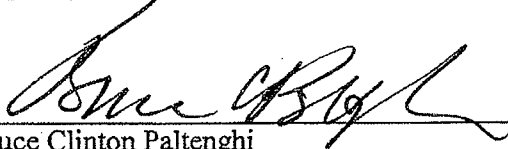
DATED: June __, 2010

ROGERS JOSEPH O'DONNELL

By: _____
Robert C. Goodman
Attorneys for Defendant
CHARLES FREDERICK HARTZ dba PAUL'S
SPARKLE CLEANERS; CHARLES F. HARTZ,
an individual

DATED: June 21, 2010

GORDON WATROUS RYAN LANGLEY BRUNO
& PALTENGI INC.

By:  _____
Bruce Clinton Paltenghi
Attorneys for Defendant
MCCORDUCK PROPERTIES LIVERMORE,
LLC, a Delaware limited liability company
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MCCORDUCK, KATHLEEN MCCORDUCK,
PAMELA MCCORDUCK, SANDRA
MCCORDUCK MARONA, and IMA
FINANCIAL CORPORATION, a California
corporation

DATED: June __, 2010

FOLEY MCINTOSH FREY & CLAYTOR

By: _____
Jim Claytor
Attorneys for Defendant
WESTERN STATES DESIGN, a California
corporation

IT IS SO ORDERED

Dated: _____

U.S. District Court Judge

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DATED: June __, 2010

ROGERS JOSEPH O'DONNELL

By: _____
Robert C. Goodman
Attorneys for Defendant
CHARLES FREDERICK HARTZ dba PAUL'S
SPARKLE CLEANERS; CHARLES F. HARTZ,
an individual


DATED: June __, 2010

GORDON WATROUS RYAN LANGLEY BRUNO
& PALTENGI INC.

By: _____
Bruce Clinton Paltenghi
Attorneys for Defendant
MCCORDUCK PROPERTIES LIVERMORE,
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MCCORDUCK, KATHLEEN MCCORDUCK,
PAMELA MCCORDUCK, SANDRA
MCCORDUCK MARONA, and IMA
FINANCIAL CORPORATION, a California
corporation

DATED: June 2, 2010

FOLEY MCINTOSH FREY & CLAYTOR

By:  _____
Jim Claytor
~~Attorneys for Defendant~~
WESTERN STATES DESIGN, a California
corporation

IT IS SO ORDERED

Dated: _____

U.S. District Court Judge