1	COX, CASTLE & NICHOLSON LLP STUART I. BLOCK (STATE BAR NO. 160688)		
2	stuart i. Block (State Bar No. 160688) sblock@coxcastle.com PETER M. MORRISETTE (STATE BAR NO. 209190)		
3	pmorrisette@coxcastle.com`	0)	
4	555 California Street, 10 <sup>th</sup> Floor San Francisco, California 94104 Telephone: (415) 392-4200 Facsimile: (415) 392-4250		
5			
6	Attorneys for Plaintiff PALMTREE ACQUISITION CORPORATION, a De	Jaware	
7	corporation f/k/a Catellus Development Corporation	naw arc	
8	UNITED STATES DIS	STRICT COURT	
9	FOR THE NORTHERN DIST	TRICT OF CALIFORNIA	
10			
11	PALMTREE ACQUISITION CORPORATION, a Delaware corporation,	CASE NO. CV 08 3168 MHP	
12	Plaintiff,	STIPULATION AND [ <del>PROPOSED]</del>	
13	Ý	ORDER TO FILE FIRST AMENDED COMPLAINT	
14	VS.	COMPLAIN	
15	MICHAEL R. NEELY, an individual; PERRY J. 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 HARTZ dba PAUL'S SPARKLE CLEANERS; CHARLES F. HARTZ, an individual; MULTIMATIC CORPORATION, a New Jersey corporation; WESTERN STATES DESIGN, a California corporation; MCCORDUCK		
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19			
20	PROPERTIES LIVERMORE, LLC, a Delaware limited liability company individually and as the		
21	corporation; STARK INVESTMENT COMPANY, a California general partnership; GRUBB & ELLIS		
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23			
24	REALTY INCOME TRUST, LIQUIDATING TRUST, a California trust; and DOES 1-20,		
25	inclusive,		
26	Defendants.		
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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 <u>21</u> , 2010 COX, CASTLE & NICHOLSON LLP		
22	21 11 11		
23	By: Jan M Mnust Stuart I. Block		
24	Peter M. Morrisette Attorneys for Plaintiff		
25	PALMTREE ACQUISITION CORPORATION, a Delaware corporation f/k/a Catellus Development		
26	Corporation		
27			
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•		Breat Eddin there & Blum Ly
1	DATED: June _ , 2010	BASSI-MARTINI EDI IN & BLUM, LLP
2		
3		By:
4		Noel/Edin Attorneys for Defendants
5		MICHAEL R. NEELY, an individual; PERRY J. NEELY, an individual; GARY NEELY, an individual; MICHAEL R. NEELY, PERRY J.
6 7		ndividual; MICHABL R. NEELY, PERRY J. NEELY and GARY NEELY dba MIKE'S ONE HOUR CLEANERS
8		HOUR CLEANERS
9		
10	DATED: June, 2010	GONSALVES & KOZACHENKO
11		
12		By: Selena P. Ontiveros
. 13		Attorneys for Defendant STARK INVESTMENT COMPANY, a California
14		general partnership
. 15		
16	DATED: June, 2010	DONGELL LAWRENCE FINNEY LLP
17	·	
18		By: Thomas F. Vandenburg
19		Attorneys for Defendant MULTIMATIC CORPORATION, a New Jersey
20		corporation
21		
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LAW OFFICES OF COX, CASTLE & NICHOLSON LI	p 370714000280V1	-3-
SAN FRANCISCO	S'TIPULATION AND [PROPOSED]	ORDER TO FILE FIRST AMENDED COMPLAINT.

	<u> </u>	
1	DATED: June, 2010	BASSI MARTINI EDLIN & BLUM, LLP
2		BROOT MARCHINI EDEMV & BLOW, LEA
3		Ву:
4		Noel Edin Attorneys for Defendants
5		MICHAEL R. NEELY, an individual; PERRY J.
6		NEELY, an individual; GARY NEELY, an individual; MICHAEL R. NEELY, PERRY J. NEELY and GARY NEELY dba MIKE'S ONE
7		HOUR CLEANERS
8		
9	DATED: June <sup>21</sup> , 2010	GONSALVES & KOZACHENKO
10		
11		By:
12		Selena P. Ontiveros Attorneys for Defendant
13		STARK INVESTMENT COMPANY, a California general partnership
14		
15	·	
16	DATED: June, 2010	DONGELL LAWRENCE FINNEY LLP
17		
18 19		By: Thomas F. Vandenburg
20		Attorneys for Defendant MULTIMATIC CORPORATION, a New Jersey
21		corporation
22		
23		
24		
25		
26		
27		
28		

1 2	DATED: June, 2010	BASSI MARTINI EDLIN & BLUM, LLP
3		
4		By: Noel Edin
5		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
6		individual; MICHAEL R. NEELY, PERRY J.
7		HOUR CLEANERS
8		
9	D. 10010	CONGAL VEC & VOZACHENIZO
10	DATED: June, 2010	GONSALVES & KOZACHENKO
11		
12		By: Selena P. Ontiveros
13		Attorneys for Defendant STARK INVESTMENT COMPANY, a California
14		general partnership
15		
16	DATED: June <u>13</u> 2010	DONGELL LAWRENCE FINNEY LLP
17		$\mathcal{A}$
18		Ву:
19		Thomas F. Vandenburg Attorneys for Defendant MULTIMATIC CORPORATION, a New Jersey
20		MULTIMATIC CORPORATION, a New Jersey corporation
21		
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ES OF		

1	DATED: June 22, 2010	ROGERS JOSEPH O'DONNELL
3		By:
4		Robert C. Goodman
5		Attorneys for Defendant CHARLES FREDERICK HARTZ dba PAUL'S
6		SPARKLE CLEANERS; CHARLES F. HARTZ, an individual
7		
8	DATED: June, 2010	GORDON WATROUS RYAN LANGLEY BRUNO
9		& PALTENGHI INC.
10		
11		By: Bruce Clinton Paltenghi
12	·	Attorneys for Defendant MCCORDUCK PROPERTIES LIVERMORE,
13		LLC, a Delaware limited liability company individually and as the successor to JOHN
14	·	MCCORDUCK, KATHLEEN MCCORDUCK, PAMELA MCCORDUCK, SANDRA
15		MCCORDUCK MARONA, and IMA FINANCIAL CORPORATION, a California
16		corporation
17		
18	DATED: June, 2010	FOLEY MCINTOSH FREY & CLAYTOR
19	DATED. June, 2010	TODET WENT CONTRET & CENTION
20		Rv
21		By:  Jim Claytor
22		Attorneys for Defendant WESTERN STATES DESIGN, a California
23		corporation
24		TATES DISTRICT CO
25	IT IC CO ODDEDED	
26	IT IS SO ORDERED	IT IS SO ORDERED
27	Dated: 7/6/2010	US. Dis Quelle
28		U.S. Dis
LAW OFFICES OF COX, CASTLE & NICHOLSON LL	P 3/0/1/400026091	-4- O Judge Marnyn 20
SAN FRANCISCO	STIPULATION AND [PROP	OSED] ORDER TO NEED COMPLAINT.
		DISTRICT OF CE
		TOTAL

1 2	DATED: June, 2010	ROGERS JOSEPH O'DONNELL
3		
4		By: Robert C. Goodman
5		Attorneys for Defendant CHARLES FREDERICK HARTZ dba PAUL'S
6		SPARKLE CLEANERS; CHARLES F. HARTZ, an individual
7		an may waa
8		
9	DATED: June 21, 2010	GORDON WATROUS RYAN LANGLEY BRUNO & PALTENGHI INC.
10		
11		By: Oliver Poltonski
12		Bruce Clinton Paltenghi Attorneys for Defendant
13		MCCORDUCK PROPERTIES LIVERMORE, LLC, a Delaware limited liability company
14		individually and as the successor to JOHN MCCORDUCK, KATHLEEN MCCORDUCK,
15		PAMELA MCCORDUCK, SANDRA MCCORDUCK MARONA, and IMA FINANCIAL CORPORATION, a California
16		corporation
17		
18	DATED: June, 2010	FOLEY MCINTOSH FREY & CLAYTOR
19	DATED. June, 2010	TODDI MOMITODI INDI & ODATI TOM
20		Ву:
21	,	Jim Claytor
22		Attorneys for Defendant WESTERN STATES DESIGN, a California corporation
23		
24	· .	
25	IT IS SO ORDERED	
26		
27	Dated:	U.S. District Court Judge
28		

1		
2	DATED: June, 2010	ROGERS JOSEPH O'DONNELL
3		By:
5 6		Robert C. Goodman Attorneys for Defendant CHARLES FREDERICK HARTZ dba PAUL'S SPARKLE CLEANERS; CHARLES F. HARTZ, an individual
7		
8	DATED: June, 2010	GORDON WATROUS RYAN LANGLEY BRUNO & PALTENGHI INC.
10		
11		By:
12		Bruce Clinton Paltenghi
13		Attorneys for Defendant MCCORDUCK PROPERTIES LIVERMORE, LLC, a Delaware limited liability company
14		LLC, a Delaware limited liability company individually and as the successor to JOHN MCCORDUCK, KATHLEEN MCCORDUCK,
15		MCCORDUCK MARONA, and IMA
16		FINANCIAL CORPORATION, a California corporation
17		
18	DATED: June 2/2010	FOLEY MCINTOSH FREY & CLAYTOR
19		
20		Ву:
21		Jim Claytor Attorneys for Defendant
22 23		WESTERN STATES DESIGN, a California corporation
24		
25		
26	IT IS SO ORDERED	
27	Dated:	
28		U.S. District Court Judge
LAW OFFICES OF COX, CASTLE & NICHOLSON LL		-4-
SAN FRANCISCO	STIPULATION AND [PROPOSED]	ORDER TO FILE FIRST AMENDED COMPLAINT.