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7 Attorneys for Defendants
 PACIFIC WEST SECURITIES, INC.,
 8 ASPIRE INVESTMENTS, INC.,
 ASPIRE REAL ESTATE, INC., and
 9 EDWARD S. BRODA

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 SAN FRANCISCO RESIDENCE CLUB,
 14 INC., DONAHUE O'SHEA, LLC, THOMAS
 P. O'SHEA, individually and as TRUSTEE
 15 FOR THE TRUST OF THOMAS P. AND
 ANNE O'SHEA,

16 Plaintiffs,

17 v.

18 HENRY A. AMADO, ABACUS
 19 FINANCIAL GROUP, LLC, WHITE SANDS
 ESTATES, LLC EDWARD S. BRODA,
 20 ASPIRE REAL ESTATE, INC., ASPIRE
 INVESTMENTS, INC., PACIFIC WEST
 21 SECURITIES, INC., GREGORY FISH and
 G.D. FISH & ASSOCIATES, and DOES 1
 22 through 100, inclusive,

23 Defendants.

Case No. 3:09-CV-02054-SC

**STIPULATION AND ~~PROPOSED~~
 ORDER RE. REMOVAL AND
 REPLACEMENT OF DOCUMENTS
 INCORRECTLY FILED WITH THE
 MOTION FOR SUMMARY JUDGMENT
 OF PACIFIC WEST SECURITIES, INC.
 AND ASPIRE INVESTMENTS, INC.**

24
 25 WHEREAS on December 23, 2010, declarations of Tony Pizelo and Edward S. Broda
 26 were submitted in support of the Motion for Summary Judgment filed by Pacific West
 27

1 Securities, Inc. and Aspire Investments, Inc. Those documents are respectively referred to as
2 Docket Numbers 130 and 133.

3 WHEREAS several of the exhibits attached to the two declarations mistakenly
4 contained un-redacted private information.

5 WHEREAS on Tuesday, December 28, 2010, counsel to plaintiffs informed defense
6 counsel of the inclusion of such private information.

7 WHEREAS counsel signing hereto have agreed to and request that the Court Order that
8 the documents, Docket Numbers 130 and 133, be removed from the docket and replaced with
9 the redacted versions, attached hereto as Exhibits A and B.

10 By stipulation between plaintiffs San Francisco Residence Club, Inc., Donahue,
11 O'Shea, LLC, and Thomas P. O'Shea, individually and as Trustee for the Trust of Thomas P.
12 and Anne O'Shea, and defendants Pacific West Securities, Inc., Aspire Investments, Inc.,
13 Aspire Real Estate, Inc. and Edward S. Broda, the parties request that the Court Order Docket
14 Numbers 130 and 133 be replaced with the attached Exhibits A and B.

15 IT IS SO STIPULATED.

16 Respectfully submitted,

17 Dated: December 30, 2010

/s/Brooke S. Purcell

18 Brooke S. Purcell
19 DILLINGHAM & MURPHY, LLP
20 225 Bush Street, 6th Floor
San Francisco, California 94104
Telephone: (415) 397-2700

21 Attorney for Defendants Pacific West Securities, Inc.,
22 Aspire Investments, Inc., Aspire Real Estate, Inc., and
23 Edward S. Broda

24 Dated: December 30, 2010

/s/Eugene N. Bulso, Jr.

25 Eugene N. Bulso, Jr. (admitted *pro hac vice*)
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7 Attorneys for Plaintiffs, SAN FRANCISCO
8 RESIDENCE CLUB, INC., DONAHUE,
9 O'SHEA, LLC, and THOMAS P. O'SHEA, Individually
10 and as Trustee for the TRUST OF THOMAS P. AND
11 ANNE O'SHEA

12 **SIGNATURE ATTESTATION**

13 I, Brooke S. Purcell, counsel of record for Pacific West Securities, Inc., Aspire
14 Investments, Inc., Aspire Real Estate, Inc., and Edward S. Broda, hereby attest that I have
15 obtained written permission from each counsel of record herein to submit the instant
16 Stipulation and [Proposed] Order Re. Removal and Replacement of Documents Incorrectly
17 Filed With the Motion for Summary Judgment of Pacific West Securities, Inc. and Aspire
18 Investments, Inc. using the "conformed" signatures (/s/) within this e-filed document.

19 Dated: December 30, 2010

/s/Brooke S. Purcell

20 Brooke S. Purcell
21 DILLINGHAM & MURPHY, LLP
22 225 Bush Street, 6th Floor
23 San Francisco, California 94104
24 Telephone: (415) 397-2700

25 Attorney for Defendants Pacific West Securities, Inc.,
26 Aspire Investments, Inc., Aspire Real Estate, Inc., and
27 Edward S. Broda

28 IT IS HEREBY ORDERED

Pursuant to the above stipulation among plaintiffs San Francisco Residence Club, Inc.,
Donahue O'Shea, LLC, Thomas P. O'Shea, individually and as Trustee for the Trust of

1 Thomas P. and Anne O'Shea and defendants Pacific West Securities, Inc., Aspire Investments,
2 Inc., Aspire Real Estate, Inc., and Edward S. Broda (hereafter the "Stipulation of the Parties"),
3 documents designated as Docket Numbers 130 and 133 will be removed from the docket for
4 this matter and replaced with redacted copies of the same, attached as Exhibits A and B to the
5 Stipulation of the Parties.

6 IT IS SO ORDERED,

7
8 Dated: 12/30 , 2010



Hon. Richard Seeborg
Judge of the District Court