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5 Attorneys for Plaintiff
 VERITAS-B MEZZ B7, LLC AS SUCCESSOR-IN-
 6 INTEREST TO CAPITAL TRUST, INC.

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 VERITAS-B MEZZ B7, LLC AS
 SUCCESSOR-IN-INTEREST TO CAPITAL
 12 TRUST, INC.,

Case No. C 09-02492 JSW

13 Plaintiff,

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND DATE FOR
 COMPLETION OF MEDIATION AND
 HEARING DATE FOR MOTIONS
 FOR SUMMARY JUDGMENT
 AS MODIFIED HEREIN**

14 v.

Judge: Hon. Jeffrey S. White
 Courtroom 11, 19th Floor

15 WALTER R. LEMBI, individually and as
 trustee of the WALTER AND LINDA LEMBI
 16 FAMILY TRUST DATED JUNE 30, 2004;
 FRANK E. LEMBI, individually and as trustee
 17 of the OLGA LEMBI RESIDUAL TRUST
 CREATED UNDER THE PROVISIONS OF
 18 PART THREE OF THE LEMBI FAMILY
 REVOCABLE TRUST DATED FEBRUARY
 19 17, 1984, and as the trustee of the FRANK E.
 LEMBI'S TRUST DATED FEBRUARY 17,
 20 1984; BILLIE SALEVOURIS, individually;
 BILLIE Z. SALEVOURIS, as trustee for THE
 21 BILLIE SALEVOURIS TRUST DATED
 AUGUST 23, 1983 AS RESTATED ON MAY
 22 24, 2002; DAVID M. RAYNAL, individually
 and as trustee for the DAVID M. RAYNAL
 23 REVOCABLE TRUST DATED MAY 9,
 2002; RALPH DAYAN, individually and as
 24 co-trustee for the AMENDED AND
 RESTATED DAYAN FAMILY
 25 REVOCABLE TRUST DATED DECEMBER
 31, 1991,

26 Defendants.
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1 By and through their respective counsel of record, the parties to this action
2 (hereinafter collectively "Parties") hereby stipulate and agree as follows:

3 WHEREAS, on February 17, 2011, the Court signed the Parties' Proposed Order
4 allowing Veritas-B Mezz B7, LLC ("Veritas"), to substitute as plaintiff in this action as the
5 successor-in-interest to Capital Trust, Inc., extended the date for completion of mediation in this
6 matter to March 25, 2011, and also extended the date for hearing on all pending motions to April
7 22, 2011.

8 WHEREAS the proposed Plaintiffs-in-Intervention in this action, LBUBS2004-C8
9 BARTLETT STREET LIMITED PARTNERSHIP, LBUBS2004-C8 BAY CLAY LIMITED
10 PARTNERSHIP, LBUBS2004-C8 GOUGH STREET LIMITED PARTNERSHIP, LBUBS2004-
11 C8 HYDE STREET LIMITED PARTNERSHIP, LBUBS2004-C8 JOICE STREET LIMITED
12 PARTNERSHIP, LBUBS2004-C8 JONES STREET LIMITED PARTNERSHIP, LBUBS2004-
13 C8 LOMBARD STREET LIMITED PARTNERSHIP, LBUBS2004-C8 MASON STREET
14 LIMITED PARTNERSHIP, LBUBS2004-C8 VAN NESS LIMITED PARTNERSHIP, have
15 reached a business resolution with Veritas that makes moot their Motion for Summary Judgment
16 and Motion to Intervene, and it is anticipated both motions will shortly be taken off calendar.

17 WHEREAS the Parties continue to work towards a business resolution of the
18 remaining claims in this action and believe that resolution can be finalized before June 2011.

19 THEREFORE:

20 Based on the foregoing, the parties hereby stipulate to and respectfully request that
21 the Court order as follows:

22 1) That the date set for completion of mediation in this matter be extended to May
23 25, 2011, in order to allow the parties to continue to pursue settlement efforts outside the
24 mediation process.

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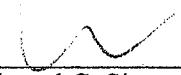
2) That the hearing on all pending motions shall be continued to June 22, 2011, at 9:00 a.m.

IT IS SO STIPULATED.

Dated: March 22, 2011 STEIN & LUBIN LLP

By: /s Julie L. Fieber
Julie L. Fieber
Attorneys for Veritas-B Mezz B7, LLC, as Successor-In-Interest to Plaintiff Capital Trust, Inc.

Dated: March 22, 2011 EDWARD C. SINGER JR.

By: 
Edward C. Singer Jr.
Attorneys for Defendants
WALTER R. LEMBI, individually and as trustee of the WALTER AND LINDA LEMBI FAMILY TRUST DATED JUNE 30, 2004 and FRANK E. LEMBI, individually and as trustee of the OLGA LEMBI RESIDUAL TRUST CREATED UNDER THE PROVISION OF PART THREE OF THE LEMBI FAMILY REVOCABLE TRUST DATED FEBRUARY 17, 1984 and as the trustee of the FRANK E. LEMBI SURVIVOR'S TRUST DATED FEBRUARY 17, 1984

Dated: March _____, 2011 FRIEDMAN DUMAS & SPRINGWATER LLP

By: _____
Ellen Friedman
Attorneys for Defendants
BILLIE Z. SALEVOURIS, individually and as trustee for THE BILLIE SALEVOURIS TRUST DATED AUGUST 23, 1983 AS RESTATED ON MAY 24, 2002; DAVID M. RAYNAL, individually and as trustee for the DAVID M. RAYNAL REVOCABLE TRUST DATED MAY 9, 2002; RALPH DAYAN, individually and as co-trustee for the AMENDED AND RESTED DAYAN FAMILY REVOCABLE TRUST DATED DECEMBER 31, 1991

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2) That the hearing on all pending motions shall be continued to June 22, 2011, at

9:00 a.m.

IT IS SO STIPULATED.

Dated: March __, 2011

STEIN & LUBIN LLP

By: /s Julie L. Fieber

Julie L. Fieber
Attorneys for Veritas-B Mezz B7, LLC, as Successor-In-
Interest to Plaintiff Capital Trust, Inc.

Dated: March ____, 2011

EDWARD C. SINGER JR.

By: _____

Edward C. Singer Jr.
Attorneys for Defendants
WALTER R. LEMBI, individually and as trustee of the
WALTER AND LINDA LEMBI FAMILY TRUST
DATED JUNE 30, 2004 and FRANK E. LEMBI,
individually and as trustee of the OLGA LEMBI
RESIDUAL TRUST CREATED UNDER THE
PROVISION OF PART THREE OF THE LEMBI
FAMILY REVOCABLE TRUST DATED FEBRUARY
17, 1984 and as the trustee of the FRANK E. LEMBI
SURVIVOR'S TRUST DATED FEBRUARY 17, 1984

Dated: March 21, 2011

FRIEDMAN DUMAS & SPRINGWATER LLP

By: 

Ellen Friedman
Attorneys for Defendants
BILLIE Z. SALEVOURIS, individually and as trustee
for THE BILLIE SALEVOURIS TRUST DATED
AUGUST 23, 1983 AS RESTATED ON MAY 24,
2002; DAVID M. RAYNAL, individually and as trustee
for the DAVID M. RAYNAL REVOCABLE TRUST
DATED MAY 9, 2002; RALPH DAYAN, individually
and as co-trustee for the AMENDED AND RESTED
DAYAN FAMILY REVOCABLE TRUST DATED
DECEMBER 31, 1991

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PROPOSED ORDER

The Court having reviewed the Stipulation and [Proposed] Order to Extend Date for Completion of Mediation and Hearing Date for Motions for Summary Judgment, and good cause appearing therefore:

IT IS HEREBY ORDERED THAT the date set for completion of mediation in this matter be extended to May 25, 2011. It is further ordered that the hearing on pending motions shall be continued to ~~June 22, 2011, at 9:00 a.m.~~ **Friday, June 24, 2011 at 9:00 a.m.**

DATED: March 22, 2011



Hon. Jeffrey S. White