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5 Attorneys for Plaintiff
 VERITAS-B MEZZ B10, LLC AS SUCCESSOR-
 6 IN-INTEREST TO DEUTSCHE BANK AG,
 CAYMAN ISLANDS BRANCH.

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

11 VERITAS-B MEZZ B7, LLC,
 12 Plaintiff,

13 v.

14 FRANK E. LEMBI *et al.*,
 15 Defendants.

Case No. C 10-04018 RS

**STIPULATION AND [PROPOSED]
 ORDER RESCHEDULING CASE
 MANAGEMENT CONFERENCE AND
 HEARING ON SUMMARY
 JUDGMENT MOTION, AND
 CORRECTING CAPTION**

As modified by the Court

Judge: Hon. Richard Seeborg
 Courtroom 3, 17th Floor

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 20 By and through their respective counsel of record, the parties to this action
 21 (hereinafter collectively "Parties"), hereby stipulate and agree as follows:

22 WHEREAS, on June 21, 2011, the Court signed the Parties' Proposed Order
 23 which extended the date for hearing on the pending Motion for Summary Judgment and Motion
 24 to Amend in this matter to August 4, 2011, at 1:30 pm.

25 WHEREAS, on June 28, 2011, the Court signed the Parties' Proposed Order
 26 allowing the substitution of Veritas-B Mezz B7, LLC, as plaintiff in this matter and changing the
 27 caption to reflect that substitution, but due to an error on the part of counsel for Veritas, an error
 28 was made in the name of Veritas, and the correct name should be Veritas-B Mezz B10, LLC.

1 WHEREAS, Veritas wishes to correct that error and the caption for this matter to
2 reflect its correct name, Veritas-B Mezz B10, LLC, and the other parties do not oppose this
3 correction.

4 WHEREAS, a case management conference in this matter is set for July 14, 2011,
5 at 10:00 am.

6 WHEREAS the Parties are working towards a business resolution of this dispute
7 and believe that resolution can be finalized before October 2011, but in the event it cannot be
8 finalized the Parties wish to proceed with the pending motions for summary judgment and
9 amendment.

10 THEREFORE:

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

13 1) That the party name for Veritas is hereby changed from Veritas-B Mezz B7,
14 LLC, to Veritas-B Mezz B10, LLC, and the corrected caption of this proceeding is hereby amended
15 to read as follows:

16 VERITAS-B MEZZ B10, LLC,

17 Plaintiff,

18 vs.

19 FRANK E. LEMBI, an individual, Frank E. Lembi as Trustee of the OLGA LEMBI
20 RESIDUAL TRUST, WALTER R. LEMBI, an individual, Walter R. Lembi as Trustee of
21 the WALTER AND LINDA LEMBI FAMILY TRUST, DATED JUNE 30, 2004, BILLIE
22 Z. SALEVOURIS, an individual, Billie Z. Salevouris as Trustee of the BILLIE Z.
23 SALEVOURIS REVOCABLE TRUST DATED AUGUST 25, 1983, AS RESTATED
24 ON APRIL 24, 2002, DAVID M. RAYNAL, an individual, David M. Raynal as Trustee
25 of the DAVID M. RAYNAL REVOCABLE TRUST DATED MAY 9, 2002, RALPH
26 DAYAN, an individual, and RMSV EQUITIES, LLC, a California limited liability
27 company,

28 Defendants.

29 2) That the hearing on all pending motions shall be continued to ~~October 21, 2011,~~
30 ~~at 9:00 a.m.~~ October 20, 2011 at 1:30 p.m.

31 3) That the case management conference current set for July 14, 2011, shall be re-

1 scheduled to September 15, 2011, at 10:00 am.

2 IT IS SO STIPULATED.

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4 Dated: July 6, 2011

STEIN & LUBIN LLP

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6 By: /s Julie L. Fieber

Julie L. Fieber
Attorneys for Veritas-B Mezz B10, LLC

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9 Dated: July 6, 2011

EDWARD C. SINGER JR.

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11
12 By: 

Edward C. Singer Jr.
Attorneys for Defendants
FRANK E. LEMBI, individually and as trustee of the
OLGA LEMBI RESIDUAL TRUST

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14 Dated: July 5, 2011

FRIEDMAN DUMAS & SPRINGWATER LLP

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17 By: 

Ellen Friedman
Attorneys for Defendants
BILLIE Z. SALEVOURIS, individually and as trustee
for THE BILLIE SALEVOURIS TRUST DATED
AUGUST 25, 1983 AS RESTATED ON APRIL 24,
2002; DAVID M. RAYNAL, individually and as trustee
for the DAVID M. RAYNAL REVOCABLE TRUST
DATED MAY 9, 2002; RALPH DAYAN, and RMSV
EQUITIES, LLC

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23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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25 DATED: 07/07, 2011

