

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
 Karin Kramer (Cal. Bar No. 87346)  
 2 karinkramer@quinnemanuel.com  
 50 California Street, 22nd Floor  
 3 San Francisco, California 94111  
 (415) 875-6600  
 4 (415) 875-6700 facsimile

5 Attorneys for Petitioners

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

11 RAYMOND A. MIRRA, JR., RAM  
 12 CAPITAL GROUP, LLC, D/B/A RAM  
 CONSULTING GROUP, LLC, RAM  
 13 CAPITAL GROUP II, LLC, RAM REALTY  
 HOLDINGS, LLC, JOSEPH A. TROILO, JR.,  
 14 BRUCE KOLLEDA, MARK A. KOVINSKY,  
 JOSEPH J. TROPIANO, JR., DANIELLE  
 15 STEWART, RENEE M. SIGLOCH,  
 FREDERICK FORTE, VIRGINIA L. HALL,  
 16 BARI KUO, and SHELLY DEMORA,

17 Petitioners,

18 v.

19 FARELLA BRAUN + MARTEL, LLP,

20 Respondent.

CASE NO. 16-mc-80068

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO SHORTEN TIME FOR  
 BRIEFING ON PETITIONERS'  
 MOTION TO TRANSFER AND  
 MOTION TO COMPEL SUBPOENA  
 DUCES TECUM**

Date: TBD  
 Time: TBD  
 Place: Courtroom 10  
 Judge: Honorable Haywood S. Gilliam, Jr.

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1 Petitioners, known in the underlying action<sup>1</sup> as the “RAM Defendants” (Raymond A.  
2 Mirra, Jr., RAM Capital Group, LLC, RAM Capital Group II, LLC, RAM Realty Holdings, LLC,  
3 Joseph A. Troilo, Jr., Bruce Kolleda, Mark A. Kovinsky, Joseph J. Tropiano, Jr., Danielle Stewart,  
4 Renee M. Sigloch, Bari Kuo, Frederick Forte, Virginia L. Hall, and Shelly Demora), Respondent  
5 Farella Braun + Martel LLP (“Farella Braun”), Plaintiffs in the underlying action (Gigi Jordan,  
6 The Hawk Mountain LLC, Michelle E. Mitchell, and Kimberly Jordan), and the remaining  
7 defendants in the underlying action (Patrick Walsh and Bernard Eizen), stipulate as follows  
8 pursuant to Civil Local Rule 6-2:

9 WHEREAS, the RAM Defendants filed and served a Motion to Transfer, a Motion to  
10 Compel Subpoena *Duces Tecum* (“Motion to Compel”), and a Motion for Sanctions on March 22,  
11 2016;

12 WHEREAS, Patrick Walsh and Bernard Eizen intend to join in the Motion to Transfer,  
13 Motion to Compel, and Motion for Sanctions filed by the RAM Defendants;

14 WHEREAS, the RAM Defendants, Farella Braun, and Plaintiffs in the underlying action  
15 (“Plaintiffs”), have all agreed to a shortened briefing schedule to expedite resolution of the  
16 disputes that are the subject of the Motion to Transfer and Motion to Compel;

17 NOW THEREFORE, the parties to this stipulation, through their undersigned counsel of  
18 record and subject to the Court’s approval, agree:

- 19 1. Patrick Walsh and Bernard Eizen shall file their Notice of Joinder in the Motion  
20 to Transfer, Motion to Compel, and Motion for Sanctions on or before March  
21 25, 2016;
- 22 2. Farella Braun shall file its opposition to the Motion to Transfer, and Motion to  
23 Compel on or before April 1, 2016;

24  
25 <sup>1</sup> The RAM Defendants are currently litigating a case in the United States District Court for  
26 the District of Delaware, in the action captioned *The Hawk Mountain LLC, et al. v. RAM Capital*  
27 *Group, LLC, et al.*, C.A. No. 13-02083-SLR-SRF. On March 22, 2016, the RAM Defendants  
28 filed multiple motions in the Northern District of California, stemming from a subpoena served on  
Farella Braun in the underlying *Hawk Mountain* litigation on March 3, 2015.

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3. Plaintiffs shall file their opposition to the Motion to Transfer, and Motion to Compel, if any, on or before April 1, 2016;
4. The RAM Defendants, Patrick Walsh and Bernard Eizen shall file their reply in support of the Motion to Transfer, and Motion to Compel on or before April 6, 2016;
5. If Farella Braun and Plaintiffs file separate oppositions to the Motion to Transfer, Motion to Compel, and/or Motion for Sanctions, the RAM Defendants, Patrick Walsh and Bernard Eizen shall have the right (but not the obligation) to file a separate reply to each opposition;
6. The parties to this stipulation consent to service by electronic mail of the Motion to Transfer, Motion to Compel, and Motion for Sanctions.
7. The parties consent to service of all papers in this action (including the above-referenced motions, opposition and reply papers) by electronic mail, and agree that such service shall constitute personal delivery by hand pursuant to Federal Rule of Civil Procedure 5(b)(2)(A).

IT IS SO STIPULATED.

1 DATED: March 24, 2016

Respectfully submitted,

2 QUINN EMANUEL URQUHART & SULLIVAN, LLP

3 By /s/ Karin Kramer

4 Karin Kramer  
karinkramer@quinnemanuel.com  
50 California Street, 22nd Floor  
5 San Francisco, California 94111  
6 (415) 875-6600  
(415) 875-6700 facsimile

7 *Attorneys for Petitioners*

8 DATED: March 24, 2016

Respectfully submitted,

9 FARELLA BRAUN + MARTEL LLP

10 By /s/ Anthony Schoenberg

11 Anthony Schoenberg  
TSchoenberg@fbm.com  
235 Montgomery Street  
12 San Francisco, California 94104  
13 (415) 954-4963  
(415) 875-6700 facsimile

14 *Attorneys for Respondent*

15 DATED: March 24, 2016

Respectfully submitted,

16 LAW OFFICE OF ALLAN L. BRENNER

17 By /s/ Allan L. Brenner

18 Allan L. Brenner  
brennerlawlb@gmail.com  
536 West Penn Street – 2<sup>nd</sup> Floor  
19 Long Beach, New York 11561  
20 (516) 897-6145

21 *Attorney for Plaintiffs*

22 DATED: March 24, 2016

Respectfully submitted,

23 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

24 By /s/ Thomas M. Monahan

25 Thomas M. Monahan  
tmonahan@sheppardmullin.com  
30 Rockefeller Plaza  
26 New York, New York 10112  
(212) 653-8700

27 *Attorney for Patrick Walsh*

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DATED: March 24, 2016

Respectfully submitted,

COZEN O'CONNOR, P.C.

By /s/ Andrew M. Hutchison  
Andrew M. Hutchison  
ahutchison@cozen.com  
575 Market Street, Suite 2200  
San Francisco, California 94105  
(415)-593-9625  
(415)-692-3514 facsimile

*Attorney for Bernard Eizen*

1 **~~PROPOSED~~ ORDER**

2 Based on the foregoing stipulation, and for good cause shown,

3 **IT IS HEREBY ORDERED** that

- 4 1. Patrick Walsh and Bernard Eizen shall file their Notice of Joinder in the Motion  
5 to Transfer, Motion to Compel, and Motion for Sanctions on or before March  
6 25, 2016;
- 7 2. Farella Braun shall file its opposition to the Motion to Transfer, and Motion to  
8 Compel on or before April 1, 2016;
- 9 3. Plaintiffs shall file their opposition to the Motion to Transfer, and Motion to  
10 Compel, if any, on or before April 1, 2016;
- 11 4. The RAM Defendants, Patrick Walsh and Bernard Eizen shall file their reply in  
12 support of the Motion to Transfer, and Motion to Compel on or before April 6,  
13 2016;
- 14 5. If Farella Braun and Plaintiffs file separate oppositions to the Motion to  
15 Transfer, Motion to Compel, and/or Motion for Sanctions, the RAM  
16 Defendants, Patrick Walsh and Bernard Eizen shall have the right (but not the  
17 obligation) to file a separate reply to each opposition;
- 18 6. The parties to this stipulation shall accept electronic mail service of the Motion  
19 to Transfer, Motion to Compel, and Motion for Sanctions;
- 20 7. All papers in this action (including the above-referenced motions, opposition  
21 and reply papers) shall be permitted to be served by electronic mail, and such  
22 service shall constitute personal delivery by hand pursuant to Federal Rule of  
23 Civil Procedure 5(b)(2)(A).

24 **IT IS SO ORDERED.**

25  
26 DATED: March 24, 2016



Laurel Beeler

United States Magistrate Judge

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**ATTESTATION**

I, Karin Kramer, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Anthony Schoenberg, Allan L. Brenner, Thomas M. Monahan, and Andrew M. Hutchison have concurred in this filing.

Dated: March 24, 2016

/s/ Karin Kramer  
Karin Kramer

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
Karin Kramer (Cal. Bar No. 87346)  
2 karinkramer@quinnemanuel.com  
50 California Street, 22nd Floor  
3 San Francisco, California 94111  
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5 Attorneys for Petitioners

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RAYMOND A. MIRRA, JR., RAM  
CAPITAL GROUP, LLC, D/B/A RAM  
CONSULTING GROUP, LLC, RAM  
CAPITAL GROUP II, LLC, RAM REALTY  
HOLDINGS, LLC, JOSEPH A. TROILO, JR.,  
BRUCE KOLLEDA, MARK A. KOVINSKY,  
JOSEPH J. TROPIANO, JR., DANIELLE  
STEWART, RENEE M. SIGLOCH,  
FREDERICK FORTE, VIRGINIA L. HALL,  
BARI KUO, and SHELLY DEMORA,

Petitioners,

v.

FARELLA BRAUN + MARTEL, LLP,

Respondent.

CASE NO. 16-mc-80068

**DECLARATION OF KARIN KRAMER IN  
SUPPORT OF STIPULATION AND  
[PROPOSED] ORDER TO SHORTEN  
TIME TO TRANSFER AND THE  
MOTION TO COMPEL SUBPOENA  
*DUCES TECUM***

Date: TBD  
Time: TBD  
Place: Courtroom 10  
Judge: Honorable Haywood S. Gilliam, Jr.



1 I, Karin Kramer, declare as follows:

2 1. I am a member of the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,  
3 attorneys for the Petitioners in this miscellaneous matter and for the RAM Defendants (Raymond  
4 A. Mirra, Jr., RAM Capital Group, LLC, RAM Capital Group II, LLC, RAM Realty Holdings,  
5 LLC, Joseph A. Troilo, Jr., Bruce Kolleda, Mark A. Kovinsky, Joseph J. Tropiano, Jr., Danielle  
6 Stewart, Renee M. Sigloch, Bari Kuo, Frederick Forte, Virginia L. Hall, and Shelly Demora) in  
7 the action currently pending in the United States District Court for the District of Delaware,  
8 captioned *The Hawk Mountain LLC, et al. v. RAM Capital Group, LLC, et al.*, C.A. No. 13-02083-  
9 SLR-SRF. I am duly licensed to practice before this Court. The matters set forth herein are  
10 within my personal knowledge and if called and sworn as a witness I could competently testify  
11 regarding them.

12 2. I submit this declaration in support of the Stipulation to Shorten Time for Briefing  
13 on the Motion to Transfer and the Motion to Compel Subpoena *Duces Tecum*. (If the Court grants  
14 the Motion to Transfer, then it need make no ruling regarding the Motion to Compel. The parties  
15 will address timing of that motion with the Magistrate assigned to hear discovery disputes for this  
16 case in the District of Delaware.)

17 3. We are requesting this matter be heard on shortened time because the fact  
18 discovery deadline in the underlying Delaware litigation has passed. The dispute that is at the  
19 center of this motion practice concerns documents responsive to a Subpoena to Produce  
20 Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, served  
21 on Respondent Farella Braun + Martel LLP (“Farella Braun”) by the RAM Defendants on March  
22 3, 2015. The parties need to have this dispute resolved expeditiously, so they can finally complete  
23 discovery and proceed with other deadlines in the underlying litigation.

24 4. There have been no previous time modifications in this miscellaneous action.

25 5. The requested time modification would not affect the schedule for this action, as  
26 there are no other deadlines in this case at this time apart from the deadlines associated with these  
27 motions.

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I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed in San Francisco, California on March 24, 2016.

/s/ Karin Kramer  
Karin Kramer