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 2 **160 West Santa Clara Street, Suite 1100**
 3 **San Jose, CA 95113**
 4 **Telephone: (408) 977-3137**
 5 **Facsimile: (408) 977-3141**
 6 **Email: jforstr@pacbell.net**

7 **STEVEN R. LEVY (State Bar No. 103164)**
 8 **17670 Woodland Avenue**
 9 **Morgan Hill, CA 95037**
 10 **Telephone: (408) 274-7000**
 11 **Facsimile: (408) 274-9000**
 12 **Email: slevy@bigfoot.com**

E-FILED - 11/18/08

13 **Attorneys for Plaintiffs**

14 **UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 **YU-SZE YEN; CLARICE ARNE; MIKE**
 18 **BAKER; JUAN BETTAGLIO AND**
 19 **BRENDA BETTAGLIO, individually and**
 20 **as Trustees of the Bettaglio Family Trust;**
 21 **MIKE BROGDON AND RENEE**
 22 **BROGDON, individually and as Trustees**
 23 **of the Brogdon Family Trust; DIANNE**
 24 **BRYSON; JAMES BRYSON; WAYNE**
 25 **CANTO AND CANDISE CANTO;**
 26 **FRANK CARBAJAL AND MEGAN**
 27 **CARBAJAL; KWEI CHOONG; JASON**
 28 **COLYAR; JIM COATES; JKAT**
PROPERTIES, LLC, a California limited
liability company; MARK DELMAN AND
KATHLEEN DELMAN; TIMOTHY
GALE AND LORI GALE; ERIC GOLD;
JACK GREER AND DIANE GREER;
JERRY HUGHES AND RHONDA
HUGHES; JEFF LAWRENCE; TINA
McCRAW; BRUCE MEEKER AND
DEBORAH MEEKER; MATT ROGERS
AND JULIE ROGERS; DAVID SAMS;
CYNTHIA SEMENOFF; BRIAN STARR
AND DEBRA STARR; JEFFREY
STEELE; NICOLE STEELE; LAURA
STEELE; LEN AND JAN TURNER;
IRVIN URBANSKI AND YOLANDA
URBANSKI; KATHY URY; MARK VAN
BUHLER; BOB WINGER AND NANCY
WINGER; JAMES WONG; CHARLIN
YEN,

Plaintiffs,

v.

CASE NO.: C 08-03535 RMW
STIPULATION AND ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE

Judge: Hon. Ronald M. Whyte
Courtroom: 6 (4th Floor)

Complaint Filed: July 23, 2008

Trial Date: None

JURY TRIAL DEMANDED

1 **RONALD BUCHHOLZ; CHARICE**
2 **FISCHER, formerly known and a.k.a.,**
3 **Charice Buchholz; SOLOMON CAPITAL,**
4 **LLC, a Nevada limited liability company;**
5 **RNC HOLDINGS, LLC, a Nevada limited**
6 **liability company; LUXURY**
7 **DEVELOPMENT FUND, LLC, a**
8 **Delaware limited liability company;**
9 **EQUITY ENTERPRISES, INC., a**
10 **California corporation; EQUITY**
11 **ENTERPRISES-NEVADA, INC., a**
12 **Nevada corporation; EQUITY**
13 **ENTERPRISE MANAGEMENT, INC.;**
14 **ALABANZA, INC., formerly a California**
15 **corporation; JONATHON VENTO;**
16 **GRACE CAPITAL, LLC dba GRACE**
17 **COMMUNITIES, an Arizona limited**
18 **liability company; DONALD ZELEZNAK;**
19 **ZELEZNAK PROPERTY**
20 **MANAGEMENT, LLC dba KELLER**
21 **WILLIAMS REALTY, an Arizona limited**
22 **liability company; KELLER WILLIAMS**
23 **REALTY, INC., a Texas corporation;**
24 **Z LOFTS, LLC, an Arizona limited**
25 **liability company; PASTOR WILLIAM E.**
26 **BUCHHOLZ; FAMILY COMMUNITY**
27 **CHURCH, a California corporate entity;**
28 **RDB DEVELOPMENT, LLC, a Nevada**
limited liability company; ZELTOR, LLC,
a Nevada limited liability company;
VENTO INVESTMENTS, LLC, an
Arizona limited liability company; GUY
BERRY; VENTO FAMILY TRUST; and
DOES 1-100, inclusive,

Defendants.

21 By and through their, the parties listed below hereby stipulate that the Case Management
22 Conference be continued to February 27, 2009 at 10:30 a.m., and ask the Court to enter an Order
23 in accordance with this stipulation.

25 The Case Management Conference is presently set for November 21, 2008.

27 The reasons for the stipulation are that (1) service is pending to some named defendants,
28 (2) not all named parties have yet appeared, (3) several parties already served have indicated

1 intent to respond by motion, and (4) Plaintiffs' counsel are engaged in informal discussions
2 regarding the liability and possible dismissal of KELLER WILLIAMS REALTY, INC., a Texas
3 corporation.

4
5 The parties to this Stipulation (and their counsel) are:

6
7 All PLAINTIFFS (Jeffrey M. Forster and Steven R. Levy);

8
9 KELLER WILLIAMS REALTY, INC., a Texas corporation (Gordon & Rees, LLP);

10
11 JONATHON VENTO; GRACE CAPITAL, LLC dba GRACE COMMUNITIES, an
12 Arizona limited liability company; DONALD ZELEZNAK; ZELEZNAK PROPERTY
13 MANAGEMENT, LLC dba KELLER WILLIAMS REALTY, an Arizona limited
14 liability company; Z LOFTS, LLC, an Arizona limited liability company; VENTO
15 INVESTMENTS, LLC, an Arizona limited liability company; VENTO FAMILY TRUST
16 (Greene, Chauvel, Descalso & Minoletti);

17
18 Solomon Capital, Inc., Equity Enterprises, Inc., and Guy Berry (Pinnacle Law Group,
19 LLP); and

20
21 PASTOR WILLIAM E. BUCHHOLZ; FAMILY COMMUNITY CHURCH, a California
22 corporate entity (Richard A. Kutche).

23
24 This Stipulation may be executed in multiple counterparts and by facsimile or other
25 equivalent electronic transmission signature(s).

26
27 Dated: November _____, 2008

28 _____
JEFFREY M. FORSTER
Attorney for PLAINTIFFS

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Dated: November _____, 2008

Gordon & Rees, LLP
By: MEAGAN E. LEARY
Attorneys for KELLER WILLIAMS REALTY, INC.,
a Texas corporation;

Dated: November _____, 2008

Greene, Chauvel, Descalso & Minoletti
By: MICHAEL G. DESCALSO
Attorneys for JONATHON VENTO; GRACE
CAPITAL, LLC dba GRACE COMMUNITIES, an
Arizona limited liability company; DONALD
ZELEZNAK; ZELEZNAK PROPERTY
MANAGEMENT, LLC dba KELLER WILLIAMS
REALTY, an Arizona limited liability company; Z
LOFTS, LLC, an Arizona limited liability company;
VENTO INVESTMENTS, LLC, an Arizona limited
liability company; VENTO FAMILY TRUST;

Dated: November _____, 2008

Pinnacle Law Group, LLP
By: WILLIAM W. SCHOFIELD
Attorneys for Defendants, Solomon Capital, Inc.,
Equity Enterprises, Inc., and Guy Berry

Dated: November _____, 2008

By: RICHARD KUTCHE
Attorney for Defendants, PASTOR WILLIAM E.
BUCHHOLZ, and FAMILY COMMUNITY
CHURCH, a California corporate entity

ORDER

The parties having so stipulated and GOOD CAUSE APPEARING,
IT IS HEREBY ORDERED that the Case Management Conference presently set for
November 21, 2008 is continued to February 27, 2009 at 10:30 a.m.

Dated: November _____, 2008

HON. RONALD M. WHYTE

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2 regarding the liability and possible dismissal of KELLER WILLIAMS REALTY, INC., a Texas
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12 Arizona limited liability company; DONALD ZELEZNAK; ZELEZNAK PROPERTY
13 MANAGEMENT, LLC dba KELLER WILLIAMS REALTY, an Arizona limited
14 liability company; Z LOFTS, LLC, an Arizona limited liability company; VENTO
15 INVESTMENTS, LLC, an Arizona limited liability company; VENTO FAMILY TRUST
16 (Greene, Chauvel, Descalso & Minoletti);

17
18 Solomon Capital, Inc., Equity Enterprises, Inc., and Guy Berry (Pinnacle Law Group,
19 LLP); and

20
21 PASTOR WILLIAM E. BUCHHOLZ; FAMILY COMMUNITY CHURCH, a California
22 corporate entity (Richard A. Kutche).

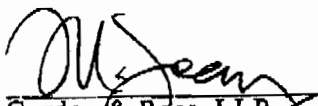
23
24 This Stipulation may be executed in multiple counterparts and by facsimile or other
25 equivalent electronic transmission signature(s).

26
27 Dated: November 17, 2008

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JEFFREY M. FORSTER
Attorney for PLAINTIFFS

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Dated: November 14, 2008



Gordon & Rees, LLP
By: MEAGAN E. LEARY
Attorneys for KELLER WILLIAMS REALTY, INC.,
a Texas corporation;

Dated: November _____, 2008

Greene, Chauvel, Descalso & Minoletti
By: MICHAEL G. DESCALSO
Attorneys for JONATHON VENTO; GRACE
CAPITAL, LLC dba GRACE COMMUNITIES, an
Arizona limited liability company; DONALD
ZELEZNAK; ZELEZNAK PROPERTY
MANAGEMENT, LLC dba KELLER WILLIAMS
REALTY, an Arizona limited liability company; Z
LOFTS, LLC, an Arizona limited liability company;
VENTO INVESTMENTS, LLC, an Arizona limited
liability company; VENTO FAMILY TRUST;

Dated: November _____, 2008

Pinnacle Law Group, LLP
By: WILLIAM W. SCHOFIELD
Attorneys for Defendants, Solomon Capital, Inc.,
Equity Enterprises, Inc., and Guy Berry

Dated: November _____, 2008

By: RICHARD KUTCHE
Attorney for Defendants, PASTOR WILLIAM E.
BUCHHOLZ, and FAMILY COMMUNITY
CHURCH, a California corporate entity

ORDER

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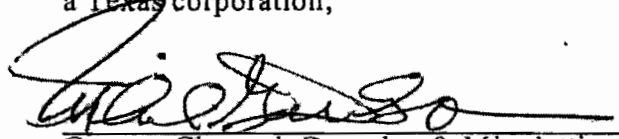
HON. RONALD M. WHYTE

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Dated: November _____, 2008

Gordon & Rees, LLP
By: MEAGAN E. LEARY
Attorneys for KELLER WILLIAMS REALTY, INC.,
a Texas corporation;

Dated: November 14, 2008



Greene, Chauvel, Descalso & Minoletti
By: MICHAEL G. DESCALSO
Attorneys for JONATHON VENTO; GRACE
CAPITAL, LLC dba GRACE COMMUNITIES, an
Arizona limited liability company; DONALD
ZELEZNAK; ZELEZNAK PROPERTY
MANAGEMENT, LLC dba KELLER WILLIAMS
REALTY, an Arizona limited liability company; Z
LOFTS, LLC, an Arizona limited liability company;
VENTO INVESTMENTS, LLC, an Arizona limited
liability company; VENTO FAMILY TRUST;

Dated: November _____, 2008

Pinnacle Law Group, LLP
By: WILLIAM W. SCHOFIELD
Attorneys for Defendants, Solomon Capital, Inc.,
Equity Enterprises, Inc., and Guy Berry

Dated: November _____, 2008

By: RICHARD KUTCHE
Attorney for Defendants, PASTOR WILLIAM E.
BUCHHOLZ, and FAMILY COMMUNITY
CHURCH, a California corporate entity

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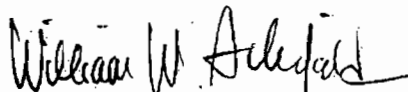
Dated: November _____, 2008

Gordon & Rees, LLP
By: MEAGAN E. LEARY
Attorneys for KELLER WILLIAMS REALTY, INC.,
a Texas corporation;

Dated: November _____, 2008

Greene, Chauvel, Descalso & Minoletti
By: MICHAEL G. DESCALSO
Attorneys for JONATHON VENTO; GRACE
CAPITAL, LLC dba GRACE COMMUNITIES, an
Arizona limited liability company; DONALD
ZELEZNAK; ZELEZNAK PROPERTY
MANAGEMENT, LLC dba KELLER WILLIAMS
REALTY, an Arizona limited liability company; Z
LOFTS, LLC, an Arizona limited liability company;
VENTO INVESTMENTS, LLC, an Arizona limited
liability company; VENTO FAMILY TRUST;

Dated: November 13, 2008



Pinnacle Law Group, LLP
By: WILLIAM W. SCHOFIELD
Attorneys for Defendants, Solomon Capital, Inc.,
Equity Enterprises, Inc., and Guy Berry

Dated: November _____, 2008

By: RICHARD KUTCHE
Attorney for Defendants, PASTOR WILLIAM E.
BUCHHOLZ, and FAMILY COMMUNITY
CHURCH, a California corporate entity

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Dated: November _____, 2008

Gordon & Rees, LLP
By: MEAGAN E. LEARY
Attorneys for KELLER WILLIAMS REALTY, INC.,
a Texas corporation;


Dated: November _____, 2008

Greene, Chauvel, Descalso & Minoletti
By: MICHAEL G. DESCALSO
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CAPITAL, LLC dba GRACE COMMUNITIES, an
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LOFTS, LLC, an Arizona limited liability company;
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liability company; VENTO FAMILY TRUST;

Dated: November _____, 2008

Pinnacle Law Group, LLP
By: WILLIAM W. SCHOFIELD
Attorneys for Defendants, Solomon Capital, Inc.,
Equity Enterprises, Inc., and Guy Berry

Dated: November 14, 2008



By: RICHARD KUTCHE
Attorney for Defendants, PASTOR WILLIAM E.
BUCHHOLZ, and FAMILY COMMUNITY
CHURCH, a California corporate entity

ORDER

The parties having so stipulated and GOOD CAUSE APPEARING,
IT IS HEREBY ORDERED that the Case Management Conference presently set for
November 21, 2008 is continued to February 27, 2009 at 10:30 a.m.

Dated: November 18, 2008



HON. RONALD M. WHYTE