

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Mandy D. Hexom SBN: 216390 EPSTEN GRINNELL & HOWELL, APC 10200 WILLOW CREEK ROAD, SUITE 100, San Diego, CA 92101 TELEPHONE NO.: (858) 527-0111 FAX NO. (Optional): (858) 527-1531 E-MAIL ADDRESS (Optional): mhexom@epsten.com ATTORNEY FOR (Name): Montgomery Field Business Condominiums Association	FOR COURT USE ONLY  <b>ELECTRONICALLY FILED</b> Superior Court of California, County of San Diego  <b>02/23/2018</b> at 03:14:00 PM Clerk of the Superior Court By Vanessa Bahena, Deputy Clerk
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b> STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, 92101 BRANCH NAME: Central Courthouse	
PLAINTIFF/PETITIONER: Montgomery Field Business Condominiums Association  DEFENDANT/RESPONDENT: Balboa Ave Cooperative, et al.	
<b>NOTICE OF SETTLEMENT OF ENTIRE CASE</b>	CASE NUMBER: 37-2017-00019384-CU-CD-CTL  JUDGE: Ronald L. Styn  DEPT.: 74

**NOTICE TO PLAINTIFF OR OTHER PARTY SEEKING RELIEF**

You must file a request for dismissal of the entire case within 45 days after the date of the settlement if the settlement is **unconditional**. You must file a dismissal of the entire case within 45 days after the date specified in item 1b below if the settlement is **conditional**. Unless you file a dismissal within the required time or have shown good cause before the time for dismissal has expired why the case should not be dismissed, the court will dismiss the entire case.

**To the court, all parties, and any arbitrator or other court-connected ADR neutral involved in this case:**

1. This entire case has been settled. The settlement is:
  - a.  **Unconditional.** A request for dismissal will be filed within 45 days after the date of the settlement.  
Date of settlement:
  - b.  **Conditional.** The settlement agreement conditions dismissal of this matter on the satisfactory completion of specified terms that are not to be performed within 45 days of the date of the settlement. A request for dismissal will be filed no later than (date): **March 26, 2018 and will first file Stip. for Court to retain jurisdiction per CCP § 664.6**
2. Date initial pleading filed: May 26, 2017 **Will file related Stipulation and Proposed Order to Court for review and signature. Expected to submit Stipulation by March 15, 2018.**
3. Next scheduled hearing or conference:
  - a. Purpose: Trial Readiness Conference
  - b.  (1) Date: March 2, 2018  
(2) Time: 10:00 a.m.  
(3) Department: C-62
4. Trial date:
  - a.  No trial date set.
  - b.  (1) Date: March 9, 2018  
(2) Time: 10:30 a.m.  
(3) Department: C-62

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: February 22, 2018

Mandy D. Hexom  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY WITHOUT ATTORNEY)

  
 (SIGNATURE)

PLAINTIFF/PETITIONER: Montgomery Field Business Condominiums Association DEFENDANT/RESPONDENT: Balboa Ave Cooperative, et al.	CASE NUMBER: 37-2017-00019384-CU-CD-CTL
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**PROOF OF SERVICE BY FIRST-CLASS MAIL  
NOTICE OF SETTLEMENT OF ENTIRE CASE**

**(NOTE: You cannot serve the Notice of Settlement of Entire Case if you are a party in the action. The person who served the notice must complete this proof of service.)**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*): 10200 WILLOW CREEK ROAD, SUITE 100, SAN DIEGO, CA 92131

2. I served a copy of the *Notice of Settlement of Entire Case* by enclosing it in a sealed envelope with postage fully prepaid and (*check one*):

a.  deposited the sealed envelope with the United States Postal Service.

b.  placed the sealed envelope for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.

3. The *Notice of Settlement of Entire Case* was mailed:

a. on (*date*):

b. from (*city and state*):

4. The envelope was addressed and mailed as follows:

a. Name of person served:

Street address:

City:

State and zip code:

c. Name of person served:

Street address:

City:

State and zip code:

b. Name of person served:

Street address:

City:

State and zip code:

d. Name of person served:

Street address:

City:

State and zip code:

Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

5. Number of pages attached \_\_\_\_\_.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:



(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

<b>SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN DIEGO, CENTRAL DIVISION</b>		FOR COURT USE ONLY
<b>TITLE OF CASE (ABBREVIATED):</b> Montgomery Field Business Condominiums Assoc. v. Balboa Ave Cooperative, et al.		
<b>ATTORNEY(S) NAME AND ADDRESS:</b> Rian W. Jones, Esq. (SBN: 118830) Mandy D. Hexom, Esq. (SBN 216390) Epsten Grinnell & Howell, APC 10200 Willow Creek Rd., Suite 100 San Diego, California 92131	<b>TELEPHONE</b> (858) 527-0111  <b>FACSIMILE</b> (858) 527-1531	
<b>ATTORNEYS FOR:</b> Montgomery Field Business Condominium Assoc.	<b>HEARING: DATE-TIME-DEPT</b>	<b>CASE NUMBER</b> 37-2017-00019384-CU-CO-CTL

**DECLARATION OF SERVICE**

I, Stephanie Hart, declare: that I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to the action; and I am employed in the County of San Diego, California, within which county the subject service occurred. My business address is 10200 Willow Creek Rd., Suite 100, San Diego, California 92131. On February 23, 2018, I served the following document(s):

**Notice of Settlement of Entire Case**

of which the original document(s), or a true and correct copy, is attached, by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

***(BY MAIL) I caused a true copy of each document, placed in a sealed envelope with postage fully paid, to be placed in the United States mail at San Diego, California. I am "readily familiar" with this firm's business practice for collection and processing of mail, that in the ordinary course of business said document(s) would be deposited with the U.S. Postal Service on that same day. I understand that the service shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained on this affidavit.***

Gina M. Austin, Esq. / Tamara M. Leetham, Esq. Austin Legal Group, APC 3990 Old Town Avenue, Ste., A-112 San Diego, CA 92110 (619) 924-9600/ Fax: (619) 881-0045 <a href="mailto:gaustin@austinlegalgroup.com">gaustin@austinlegalgroup.com</a> <a href="mailto:tamara@austinlegalgroup.com">tamara@austinlegalgroup.com</a>	Attorneys for Balboa Ave Cooperative; San Diego Holdings Group, LLC and Ninus Malan
Douglas Jaffe, Esq. Law Offices of Douglas Jaffe 501 West Broadway, Suite 800 San Diego, California 92101 (619) 400-4945/ Fax: (619) 400-4947 <a href="mailto:douglasjaffe@aol.com">douglasjaffe@aol.com</a>	Attorneys for Razuki Investments, LLC, Salam Razuki

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 23, 2018, at San Diego, California.

  
\_\_\_\_\_  
Stephanie Hart