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8 Attorney for all Plaintiffs, individually, and
9 on behalf of all others similarly situated

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SAN DIEGO**

12 DONALD R. SHORT, JAMES F. GLEASON,	)	CASE NO: GIC877707
13 CASEY MEEHAN, MARILYN SHORT, PATTY)	
14 WESTERVELT, AND DOTTIE YELLE,	)	Date: March 28, 2008
15 individually, and on behalf of all others similarly	)	Time: 10:30 a.m.
16 situated,	)	Judge: Hon. Yuri Hofmann
17	)	Dept: 60
18 Plaintiffs,	)	Action Filed: December 29, 2006
19 v.	)	Trial Date: September 5, 2008
20 CC-LA JOLLA, Inc., a Delaware Corporation, CC-	)	DECLARATION OF JAMES F.
21 LA JOLLA, L.L.C., a Delaware limited liability	)	GLEASON IN SUPPORT OF CLASS
22 company, CC-DEVELOPMENT GROUP, INC.,	)	REPRESENTATIVES' MOTION
23 CLASSIC RESIDENCE MANAGEMENT	)	FOR PROTECTIVE ORDER
24 LIMITED PARTNERSHIP, an Illinois Limited	)	LIMITING DEFENDANTS TO A
25 Partnership, and DOES 1 to 110, inclusive,	)	REASONABLE NUMBER, LENGTH
26	)	AND LOCATION OF
27 Defendants.	)	DEPOSITIONS OF ABSENT CLASS
28	)	MEMBERS

29 I, James F. Gleason, declare as follows:

30 1. I am one of the class representatives in this case. I am also the immediate past
31 President of the Resident Council at La Jolla Village Towers ("LJVT"), and was recently re-
32 elected to the Resident Council in an election of all LJVT residents. I have personal knowledge
33 of the matters stated herein and if called to do so could testify competently thereto.

34 2. Since the parties last appeared in Court on January 18, 2008, two additional class
35 members have died. Helen Craver died on January 28, 2008. Franklin Goodspeed died on
36 January 29, 2008.

37 3. The plaintiff class consists of elderly persons with an average age in excess of 80

1 years old. Many of these residents, including myself, are in various degrees of failing health.
2 Fifty-one class members and LJVT residents have already moved from the independent living
3 offered at LJVT to the care center, including 19 residents to assisted living, 8 residents to the
4 memory support/Alzheimer's unit, and 24 residents to skilled nursing.

5 4. I have spoken with numerous class members regarding the prospect being
6 involuntarily required to participate in this litigation, of being deposed, or being required to
7 search for and produce voluminous documents. Each of them has conveyed to me substantial
8 fear and trepidation regarding being required to be deposed, produce documents, or participate
9 actively in this litigation.

10 5. Many of the LJVT residents who may be deposed in this case have limited
11 mobility and it would be of great benefit for any necessary depositions to take place in the ample
12 available conference rooms or in the library at La Jolla Village Towers.

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

15 Executed this 1st day of February, 2008, at San Diego, California.

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19 James F. Gleason
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