

1 **MICHAEL A. CONGER, ESQUIRE (State Bar #147882)**
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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,)
13 CASEY MEEHAN, MARILYN SHORT, PATTY)
14 WESTERVELT, AND DOTTIE YELLE,)
15 individually, and on behalf of all others similarly)
16 situated,)

17 Plaintiffs,)

18 v.)

19 CC-LA JOLLA, Inc., a Delaware Corporation, CC-)
20 LA JOLLA, L.L.C., a Delaware limited liability)
21 company, CC-DEVELOPMENT GROUP,)
22 INC., CLASSIC RESIDENCE MANAGEMENT)
23 LIMITED PARTNERSHIP, an Illinois Limited)
24 Partnership, and DOES 1 to 110, inclusive,)

25 Defendants.)
26)
27)
28)

CASE NO: GIC877707

Date: July 18, 2007

Time: 8:30 a.m.

Judge: Hon. Yuri Hofmann

Dept: 60

Action Filed: December 29, 2006

Trial Date: Not yet set

DECLARATION OF MICHAEL A.
CONGER IN SUPPORT OF
PLAINTIFFS' EX PARTE
APPLICATION TO ADVANCE
CASE MANAGEMENT
CONFERENCE AND HEARING ON
DEFENDANTS' DEMURRER

I, Michael A. Conger, declare as follows:

1. I am an attorney at law duly licensed to practice before all courts in the State of California. I have personal knowledge of the matters stated herein and if called to do so could testify competently thereto.


2. On Monday, July 16, 2007, I notified Eric M. Acker, Esquire, counsel for defendants CC-La Jolla, Inc., CCW-La Jolla, L.L.C., CC-Development Group, Inc. and Classic

F I L E D
Clerk of the Superior Court
JUL 17 2007
By: G. MENDOZA, Deputy

1 Residence Management Limited Partnership of this ex parte hearing.

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

4 Executed this 17th day of July, 2007, at Rancho Santa Fe, California.

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Michael A. Conger