

EXHIBIT 11

CLASSIC
RESIDENCE

BY
HYATT®

Senior Living with the Hyatt Touch®

Compliments of
Classic Residence
by Hyatt

YOUR GUIDE TO NAVIGATING
**CONTINUING CARE
AND LIFE CARE**
RETIREMENT COMMUNITIES

SHORT 1098



If you are an older adult, you may have begun to explore the growing number of retirement living choices available to you—types of communities, various services and care available, payment options and more. This question-and-answer guide is designed to provide you with key information about one of the most popular choices—continuing care retirement communities—to help you make a choice about your future that will benefit you and your family.

What is a continuing care retirement community?

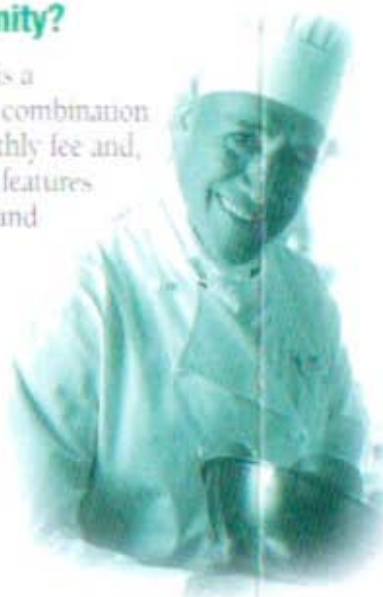
A **continuing care retirement community**, or **CCRC**, is a senior living community that provides a resident with a combination of housing, services and health care in return for a monthly fee and, in many cases, an entrance fee. CCRCs offer an array of features that appeal to older adults who enjoy full, vibrant lives and who wish to plan for any health care needs that may arise in the future. For a resident who does develop a need for assisted living, memory support/Alzheimer's care or skilled nursing services, care is provided at the community's on-site care center, allowing the resident to live close to his or her spouse and friends and to remain as independent as possible.

Most residents of a CCRC are protected against rising long-term care costs and enjoy the peace of mind of knowing they have planned wisely for their future. This assurance is important not only to the growing number of older adults, but also to their adult children.

What is a life care retirement community?

The definition of a **life care community** will vary from state to state, and some states, such as California, interpret the definition of life care as similar to the extensive CCRC program described below.

A **life care community**, or extensive CCRC program, is a specific type of CCRC that provides long-term care services to residents, if needed, at **virtually the same cost as independent living**. When residents of a life care community move to the care center, they pay the same monthly fee they were paying for their independent living home, plus the cost of additional meals and ancillary fees, such as for medical supplies.



When do people usually decide to move to a CCRC?

Individuals typically move to a CCRC when they are younger, in relatively good health and are living independently. If an individual waits until a need for care develops, he or she may no longer qualify for coverage under the CCRC's contract. In addition, CCRCs may have waiting lists, which means it is to the potential resident's advantage to make the decision sooner rather than later.

What kind of services do CCRCs offer?

Services include club-style dining with some choice of meal plans; housekeeping, concierge and maintenance services; scheduled transportation; wellness and fitness programs; and move-in coordination assistance. CCRCs employ a full-time resident services and program staff. Wellness services may be provided at an on-site wellness center and may include periodic health screenings and informational lectures on health topics.

What kind of amenities do CCRCs offer?

Many CCRCs feature resort-style amenities, such as swimming pools, fitness centers, spas, computer centers, libraries, card and game rooms, art studios, meeting rooms, nature or walking trails and more.

What kind of lifestyle do CCRC residents enjoy?

Most CCRCs focus on an active lifestyle for residents. A full-time program director works closely with residents to understand their desires and needs and is responsible for planning social, cultural and educational events, held both at the community and off site. A typical calendar may include continuing education courses, resident investment clubs, excursions, art classes, bridge groups, volunteer opportunities, fitness and wellness programs, parties and resident council meetings.

What happens when a resident requires more care?

When a resident develops a need for care, as determined through discussions with the resident and his or her family, the community's

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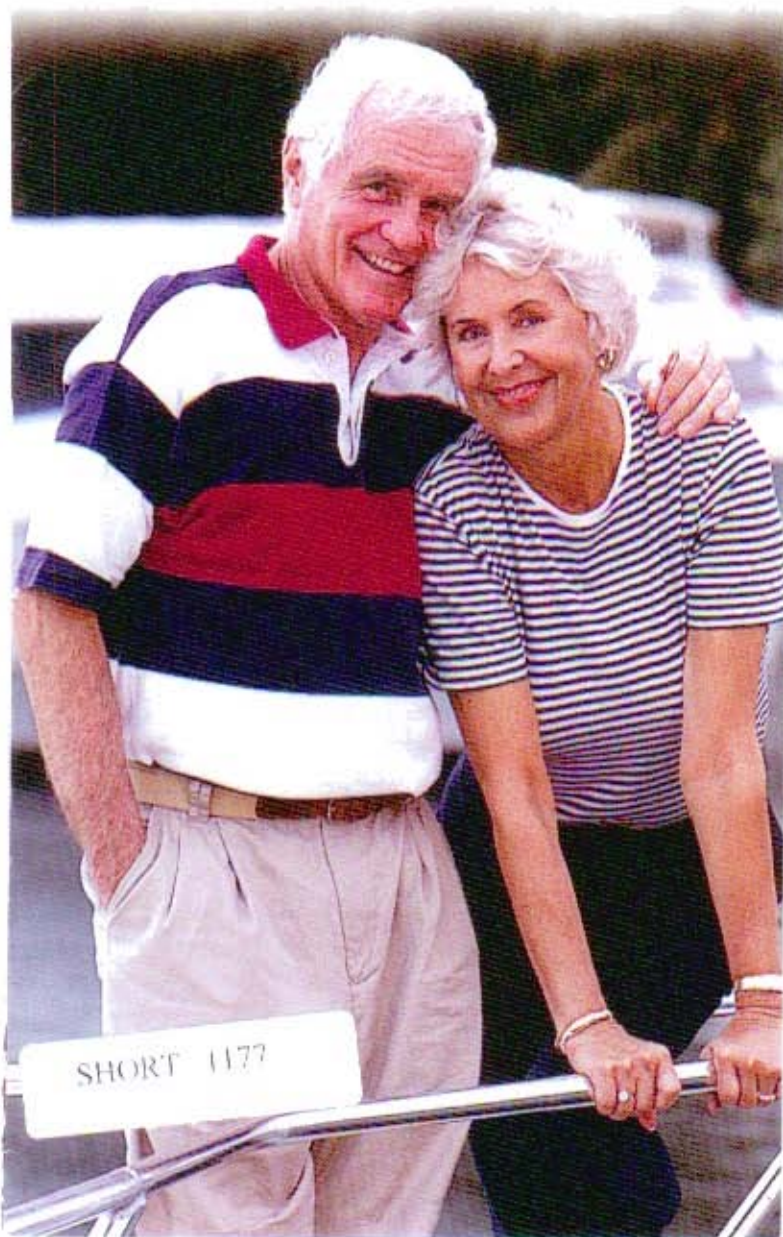
Continuing Care Guide

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CLASSIC
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*Your guide to continuing care
retirement communities*



offered that reflect the interests and abilities of residents. Community areas such as dining and activity rooms are centralized so that residents can access them easily. Classic Residence by Hyatt care centers have their own full-time activities staff.

WHY IS THERE AN ENTRANCE FEE?

In developing the exceptional style of living that CCRCs offer, the goal is to create a financial arrangement that appeals to potential residents and provides a reasonable return on investment for the community's owner. Most residents use all or a portion of the proceeds from the sale of their home to pay the entrance fee. As a result, the entrance fee model makes it possible for residents to enjoy the benefits of CCRC living without dipping into other assets.

Monthly fees are generally equal to or less than the monthly cost of living residents formerly paid for their homes before moving to the CCRC (especially when you consider the costs of all the services that are included).

DO CCRCs REFUND THE ENTRANCE FEE?

Many, but not all, CCRCs make the entrance fee partially refundable if the resident leaves the community after a specified period of time. Contact the community of your choice to find out more about the entrance fee programs offered.



EXHIBIT 13

EXPERIENCE

LUXURY SENIOR LIVING AT ITS FINEST



CLASSIC
RESIDENCE

BY
HYATT[®]
AT LA JOLLA VILLAGE

ENJOY

A TRULY UNIQUE LIFESTYLE

When you arrive, you'll experience something special right away. The sparkling chandeliers as they capture the sun. The elegant marble floors. The sociable neighbors and the attentive staff. Welcome to Classic Residence by Hyatt at La Jolla Village.

Conveniently located near University Towne Centre, Classic Residence by Hyatt is a community where neighbors become friends, an experienced staff is at your service and spacious residences are designed for your comfort. Plus, with the host of services and amenities that are included, you'll have the free time to make the most of your active lifestyle.



LIVE LIFE

TO THE FULLEST

The people who choose Classic Residence by Hyatt are a vibrant group. That's why our services and amenities are designed to enhance the way you live. As a resident, you can try out aqua aerobics in the heated indoor swimming pool. Stay fit in the fitness center. Catch up with friends in the beautifully appointed lounge. Research your

family history in the computer center. Read in the library. Stroll through the colorful gardens. Or simply enjoy a light California breeze from your private balcony.

Plus, every day at Classic Residence by Hyatt brings an exciting schedule of social, cultural, educational and recreational programs. Choose from golf outings, walking groups, theatre, opera, fitness programs, socials, volunteer opportunities and more.



SAVOR

EVERY MOMENT

Featuring a variety of delicious culinary creations skillfully prepared by our classically trained chefs, dining at Classic Residence by Hyatt is an experience you'll savor. From regional favorites and traditional home-style meals to exciting new dishes, you'll find something delicious to tempt your palate.

And our chefs, who are specially trained in the techniques of healthy and nutritious cooking at the prestigious Culinary Institute of America, are just as enthusiastic about our



Classically Caring Cuisine™, exclusive selections that are generally lower in sodium, fat or sugar and high in flavor.

RELY ON

PEACE OF MIND

Perhaps the most important aspect of living in our remarkable community is the peace of mind that comes with the continuing care program.

A major benefit of continuing care at Classic Residence by Hyatt is the convenience of having a care center within the community, close to your spouse and friends. Residents who develop a need for assisted living, memory support/Alzheimer's care or skilled nursing care may move to the care center, which is staffed around the clock by dedicated, caring professionals.

Residents who are approved for continuing care and who transfer to the care center will continue to pay the same monthly fee they would have paid for their independent living apartment, plus charges for extra meals and ancillary items. Under the program, care is included for an unlimited period.



**For more information, call
(858) 646-7745 or 1-800-995-5392.**

GLEASON 0205

EXHIBIT 14

SAVE



Continuum of Care

Our vision for La Jolla Village Towers, A Classic Residence by Hyatt, is that of a continuing care retirement community that addresses the potential need for long-term care.

Rental Agreement Coverage

Until residents are covered by a continuing care agreement, their need for increased care is addressed in the following ways:

- **Wellness Services:** Wellness services such as personal health assessments and periodic health screenings are available through our on-site wellness center under the supervision of a licensed vocational nurse. Limited short-term, non-routine personal care services, including help with bathing, dressing, grooming and monitoring medications, are coordinated through our wellness center and delivered in the comfort and convenience of our residents' apartments for no additional charge beyond their monthly fee. Our wellness center staff is also available around the clock to respond to medical emergencies. The center features an examination room and an office for visiting physicians.
- **Higher Levels of Care:** Should residents need assistance beyond that which we provide, residents may contract with an outside home health care agency or long-term care facility on a fee-for-service basis to the extent provided by law.

Continuing Care Agreement Coverage Prior to Care Center Completion

Once La Jolla Village Towers is permitted to enter into continuing care agreements, but prior to the completion of our proposed on-site care center, residents' need for additional care will be addressed in the following ways:

- **Wellness Services:** Wellness services such as personal health assessments and periodic health screenings are available through our on-site wellness center under the supervision of a licensed vocational nurse. Limited short-term, non-routine personal care services will continue to be available through our wellness center for no additional charge beyond the monthly fee.
- **Extended Assisted Living Services, Alzheimer's Care or Skilled Nursing Care:** Residents who require such services may relocate to a designated nearby care center and receive coverage according to the Continuing Care Residency Agreement Option that they selected, as outlined in their Residency Agreement.

Continuing Care Agreement Coverage After Completion of Care Center

Once our proposed on-site care center has been completed, residents will be entitled to receive long-term care right on our campus. Care will be appropriately tailored to the individual and will include the following:

- **Wellness Services:** Wellness services will continue to be available through our on-site wellness center under the supervision of a licensed vocational nurse.
- **Assisted Living Care:** In La Jolla Village Towers' assisted living center, licensed nurses and certified nursing assistants will provide individualized assistance with bathing, dressing, grooming, monitoring medications and other activities of daily living. The assisted living center will be staffed on a 24-hour basis and will feature studio and one-bedroom apartments.
- **Alzheimer's/Dementia Care:** The care center at La Jolla Village Towers will feature suites designed for residents with mild to moderate Alzheimer's disease or similar cognitive impairments. Specially trained staff will minimize stress for residents and help them maintain their independence and individuality for as long as possible. Our Alzheimer's area will have trained professional staff on duty 24 hours a day.
- **Skilled Nursing Care:** Short- or long-term skilled nursing care will be available on a 24-hour basis at La Jolla Village Towers' care center. A skilled nursing setting is appropriate for individuals who are recovering from surgery or illness, who require concentrated rehabilitation or who need ongoing long-term care. Our nursing staff will reinforce the healing process and create a comforting and dignified environment for all residents.

A comprehensive nutrition program, developed under the guidance of a Certified Dietary Manager (CDM); scheduled local transportation; and an activities program tailored to the interests and abilities of care center residents will also be integral parts of our care center offering. Outpatient services, including physical, occupational and speech therapy, will be available at an additional fee once the care center is completed.

EXHIBIT 15

LA JOLLA VILLAGE TOWERS

— A CLASSIC RESIDENCE BY —
HYATT®

Our Continuing Care Program

Continuing Care Benefits: At La Jolla Village Towers, A Classic Residence by Hyatt, your entrance fee includes coverage for assisted living, memory support/Alzheimer's care and skilled nursing care. Residents who move to the on-site care center continue to pay the same monthly fee they would have paid for their independent living home, plus charges for extra meals and ancillary items.

Second Person Entrance Fee: If two persons occupy an independent living apartment, a second person entrance fee will be due upon payment of the 80% balance of the entrance fee and signing of the Continuing Care Residency Agreement.

Your Choice of Entrance Fee Return Programs: When you sign the Continuing Care Residency Agreement, you can choose to have either 80% or 40% of your entrance fee returned to you or your estate upon move-out.

For more information, call (858) 646-7745 or 1-800-995-5392.

Wellness Services and Amenities

La Jolla Village Towers promotes wellness as a key to a fulfilling lifestyle. With that in mind, we are pleased to offer health and wellness programs designed to help you continue your active lifestyle.

- ✦ Fully equipped fitness center
- ✦ Fitness instruction and exercise classes
- ✦ Periodic health screenings
- ✦ Personal health assessments
- ✦ Health and wellness lectures
- ✦ Apartment-based emergency response system

Home Health Services

Licensed home health services such as medication administration, dietary/nutrition counseling or personal assistance can be arranged on a fee-for-service basis. Follow-up care is also available during recuperation from short-term illness or injury.

FISHLEDER 0201

Care Center Services

Located on site, our Care Center offers a full range of assisted living, memory support/ Alzheimer's care and skilled nursing care in a comfortable residential setting. As a major benefit of living at La Jolla Village Towers, residents who qualify for continuing care are able to move to the Care Center and continue to pay the same continuing care monthly fee they would have paid for their independent living home, plus charges for extra meals and ancillary items.

Assisted Living Residence: Licensed nurses and certified nursing assistants provide assistance with bathing, dressing, grooming, monitoring medications and other activities of daily living. Staffed on a 24-hour basis, the Assisted Living Residence features private studio and one-bedroom apartment homes.

Memory Support Residence: The Care Center features private and companion suites designed for residents with mild to moderate Alzheimer's or similar cognitive conditions. The goal of our specially trained staff is to help residents maintain their independence with a host of programs.

Skilled Nursing Center: In our Medicare-certified skilled nursing center, registered nurses, licensed vocational nurses and certified nursing assistants provide short- and long-term skilled nursing care on a 24-hour basis. The skilled nursing center is an appropriate setting for individuals who are recovering from surgery or illness, require skilled rehabilitation or need ongoing long-term care. Our restorative approach reinforces the appropriate healing and rehabilitation process and promotes independence. The skilled nursing center features private and semiprivate accommodations. We encourage residents to personalize their suites with their own furnishings.

Special Features of the Care Center

Dining Services: All residents of the Care Center are served three meals a day in one of the Care Center's five beautifully appointed dining rooms. (One meal is included in the monthly fee under the Continuing Care Residency Agreement.)

Other Amenities and Services: The Care Center features a variety of amenities, including therapy rooms, multipurpose rooms, a family meeting room, garden and beauty salon/barbershop. A full-time resident programs staff plans events tailored specifically to the interests and abilities of residents of the Care Center.

Outpatient Services: An array of outpatient services, including occupational, physical and speech therapy, are offered at the Care Center.

EXHIBIT 16

CLASSIC RESIDENCE

Home > Our Communities > San Diego - La Jolla > San Diego / La Jolla

Welcome to luxury senior living in San Diego, California.

A nearly perfect climate combined with a location convenient to the fabulous attractions of San Diego and the La Jolla area. A setting close to beaches, golf courses, parks, universities and myriad fine restaurants and shopping. All of this, and so much more, sets the stage for one of California's finest communities for vibrant retirement living.

When you enter the sophisticated lobby, you will know that you have arrived at an exceptional retirement community. Spacious one-, two- and three-bedroom homes offer you the utmost in choice and style. Not to mention the amenity-rich community areas, where you will discover a wealth of possibilities that define the finest in retirement living. Of course, the high-rise design puts everything at your fingertips—the fitness center, card room, library, plus much, much more. It is all just an elevator ride from your front door.

Plus, the excitement is building at Classic Residence by Hyatt at La Jolla Village. Construction has begun on the final phase of our development, which will feature an array of new floor plans as well as exciting amenities. Whether you choose a spacious home in Tower I or a new floor plan in Tower II, you will benefit from planned new amenities such as additional dining venues, enhanced fitness center and full-service spa. Plus, there will be beautifully landscaped gardens, seating areas and walking paths—so you can enjoy the fabulous San Diego climate year-round.

More than a luxury retirement community.

Classic Residence by Hyatt at La Jolla Village is a continuing care community that offers you peace of mind. Should a need develop for assisted living, Alzheimer's/memory support care or skilled nursing care, residents who are covered under a continuing care contract pay the same monthly fee for these services charged for their independent living home, with only an additional charge for extra meals and ancillary items. The on-site care center features private accommodations for residential assisted living, Alzheimer's/memory support care and skilled nursing care.

Click here to learn more about the value and quality of continuing care at Classic Residence by Hyatt.

SHORT 1215

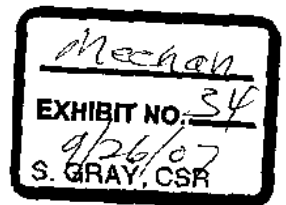


EXHIBIT 17

CLASSIC RESIDENCE

Adjust Text: Bigger: Smaller: Reset: Search:

Go

Classic Residence by Hyatt

Home | Our Approach to Senior Living |
Our Company

Welcome to San Diego!

- " Dining Experience
- " Distinctive Services
- " Exceptional Amenities
- " Programs and Events
- " Care Options

Tour Our Community

- " Photos
- " Floor Plans

Lifestyle and Attractions

- " Sumptuous Cuisine
- " Sample Community Calendar
- " Resident Photo Gallery
- " In the Neighborhood

Maps and Directions

Home > Our Communities > San Diego >

Independent living with peace of mind.

At Classic Residence by Hyatt at La Jolla Village, you will find all the services and amenities you expect from luxury retirement living. But if there is one feature that residents find most satisfying, it is the peace of mind that comes with living in a full continuing care retirement community. In addition to beautifully designed homes for independent living, Classic Residence by Hyatt features an on-site care center with comfortable private accommodations for assisted living, Alzheimer's memory support care and skilled nursing care.

Should the need for assisted living, Alzheimer's/memory support care or skilled nursing care arise, a resident who is approved for continuing care can move to the on-site care center and continue to pay the same monthly fee he or she would have paid for his or her independent living residence, plus additional charges for extra meals and ancillary items. Care at these rates is available for an unlimited period for approved residents.

Because the monthly fee paid by a resident who has been approved for continuing care does not increase if that resident moves to the care center, the resident typically will pay less for care center services than he

Virtual Tours

Classic Residence by Hyatt at La Jolla Village

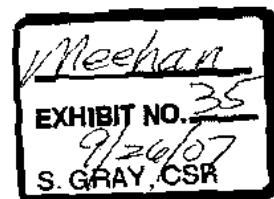
8515 Costa Verde Boulevard
San Diego, CA 92122
(858) 646-7745
1-800-995-5392

Care Center

4171 Las Palmas Square
San Diego, CA 92122
(858) 646-3400



SHORT 1219



or she would pay for such services at
a comparable facility without a
continuing care contract.

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[HIPAA](#)

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Corporation.

SHORT 1220

EXHIBIT 18

CLASSIC RESIDENCE

Frequently Asked Questions



Continuing care and life care retirement communities frequently asked questions.

What is a continuing care retirement community?

Continuing care retirement communities, or CCRCs, offer residents a combination of housing, services, amenities and care in return for a monthly fee and, in many cases, an entrance fee. CCRCs focus on the physical, social and emotional well-being of residents by promoting a vibrant lifestyle in a community setting. At the same time, CCRCs offer services such as assisted living, Alzheimer's/memory support care and skilled nursing care on site so that residents may continue to stay within the same community, close to their spouse, friends and neighbors, even as their care needs change. This assurance, combined with the financial protection that many CCRCs offer, is important to both older adults and to their adult children.

Continuing care retirement communities generally offer one or more of the following contracts:

- **Extensive (Type A):** Should the need for assisted living, Alzheimer's/memory support care or skilled nursing care arise, a resident who is approved for continuing care can move to the community's on-site care center and continue to pay the same monthly fee charged for his or her independent living home, plus charges for extra meals and ancillary items. Because the monthly fee paid by an individual who has been approved for continuing care does not increase if that individual moves to the care center, the individual will typically pay less for care center services than he or she would pay for such services at a comparable care facility without a continuing care contract. Care at these rates is available for an unlimited period for approved individuals.

If one member of a couple requires care and moves to the care center, the other member may remain in the independent living home. The couple continues to pay only the monthly fee for the independent living home, plus charges for extra meals and ancillary items at the care center.

Increases in the monthly fee may occur with increases in inflation or operating costs.

Most Classic Residence by Hyatt continuing care retirement communities offer Type A continuing care, sometimes known as life care.

- **Modified (Type B):** A limited number of days of care per quarter or lifetime of a resident is provided at a reduced rate. Stays in the care center beyond the agreed-upon period are billed to residents at the market rate. In addition, if one member of a couple needs to move to the care center, the couple would pay the single occupant fee for the independent living residence and the market rate for the care center. If both individuals need to move to the care center after they have used the allocated number of days, each individual would pay the market rate for care.

SHORT 1090

- **Fee-for-service (Type C):** Priority access to the care center is offered to residents. The monthly or daily fee for residents while residing in the care center is the market rate.

An additional entrance and monthly fee is charged to couples to help cover the cost of the life care benefits for the second person. Depending upon the terms of the contract, entrance fees may be fully or partially refundable to the resident or to the resident's estate if he or she leaves the community.

What is life care?

Classic Residence by Hyatt operates primarily Type A continuing care retirement communities (called "life care" except in California). These communities feature assisted living, Alzheimer's/memory support care and skilled nursing care on site. Residents pay an entrance fee and a monthly fee.

Why is there an entrance fee?

In developing the exceptional style of living that Classic Residence by Hyatt offers, our goal is to create a financial arrangement that appeals to potential residents and provides a reasonable return on Classic Residence by Hyatt's investment.

Most residents use all or a portion of the proceeds from the sale of their home to pay the entrance fee. As a result, the Classic Residence by Hyatt entrance fee model makes it possible for residents to enjoy the wonderful benefits of a continuing care retirement community without dipping into other assets. Residents enjoy knowing that a portion of their entrance fee will be refunded to them, their children or their estate in the future.

Monthly fees are generally equal to or less than the monthly cost of living residents formerly paid for their homes before moving to Classic Residence by Hyatt, especially when you consider the costs of all of the services that we include.

Are there any tax advantages to living in a continuing care retirement community?

Under current IRS guidelines, the portion of your entrance fee that is associated with the health care component of the community is considered a prepaid medical expense in the year in which the full entrance fee is paid and potentially can be used as a medical deduction on your taxes.

What can I expect from independent living at a Classic Residence by Hyatt continuing care retirement community?

Residents of Classic Residence by Hyatt enjoy a remarkable, fulfilling lifestyle in elegant, luxury surroundings—without the concerns of home ownership and maintenance. Residents—and their families and friends—also benefit from the peace of mind of knowing that wellness services, assisted living and skilled nursing care are available, if the need arises.

Classic Residence by Hyatt continuing care retirement communities feature:

- Spacious homes perfect for independent living, complete with tasteful finishes and thoughtful

details. Many Classic Residence by Hyatt homes include features such as private patios or balconies, lovely views, fully equipped kitchens, generous closets and storage, and individual climate control.

- Club-style dining in themed dining venues, with menus prepared by classically trained chefs.
- Classically Caring Cuisine™, with entrées that are generally lower in sodium and fat and desserts that are generally lower in sugar.
- Distinctive services such as light housekeeping, concierge assistance, maintenance, scheduled transportation, wellness/fitness programs, move-in coordination assistance and much, much more.
- An enriching array of programs and events—ranging from book clubs and writers' groups to walking clubs; from volunteer organizations to travel opportunities; and from outings to area and regional attractions to thought-provoking lecture series. Our full-time resident services staff is on hand to ensure that the enticing calendar of programs and events is responsive to residents' interests.
- Exceptional amenities such as elegant dining venues, fitness centers, swimming pools, art studios, computer centers, libraries, walking paths, lounges and other richly designed community spaces that complement residents' vibrant lifestyles.
- Communities may offer wellness and fitness services such as health screenings and health lectures plus and fitness classes like tai chi, yoga and strength training.

In addition to assisted living, Alzheimer's/memory support care and skilled nursing care, some continuing care retirement communities feature access to home health care services.

Learn more about luxury independent living at Classic Residence by Hyatt:

What can I expect from assisted living and the continuum of care at Classic Residence by Hyatt?

Classic Residence by Hyatt's continuing care retirement communities offer the added peace of mind that access to additional care and services is available at the community, should the need arise. Residents who qualify for continuing care can move to the on-site care center and continue to pay the same monthly fee charged for their independent living residence, plus additional charges for extra meals and ancillary items.

The care center at each Classic Residence by Hyatt continuing care retirement community has been designed with the comfort and convenience of residents at top of mind. The elegant interior design and tasteful furnishings reflect those of independent living, so residents feel at home. And in every sense they are—their spouse, their neighbors and the friends they have made at the community are just minutes away. The benefits of being able to remain part of the community can't be overestimated.

Generally, each of our care centers features private accommodations for assisted living, Alzheimer's/memory support care and skilled nursing care. Our caring staff provides personalized attention in an intimate, beautifully designed residential setting. Care and services are tailored to the individual, creating an atmosphere where dignity is respected, privacy is honored and self-sufficiency is supported and encouraged.

In addition to receiving personalized care under the direction of a licensed nurse, residents enjoy three meals a day prepared by the community's executive chef, a full calendar of enriching programs and events, and an array of amenities that encourage participation and interaction.

Each Classic Residence by Hyatt care center is managed by a licensed nursing home administrator, a director of nursing and a medical director who provides clinical leadership to the care team.

Where can I find a Classic Residence by Hyatt continuing care retirement community?

Classic Residence by Hyatt features continuing care retirement communities in desirable urban and suburban areas from the East Coast to the West. From distinctive oceanside high-rises to peaceful, lakeside campus-style communities, Classic Residence by Hyatt has a senior living style and setting to match your lifestyle.

Classic Residence by Hyatt and The Plaza Companies (life care)
Scottsdale, Arizona

Classic Residence by Hyatt in Palo Alto (Type A continuing care)
Palo Alto, California

Classic Residence by Hyatt at La Jolla Village (Type A continuing care)
San Diego, California

Classic Residence by Hyatt in Aventura (life care)
Aventura, Florida

Classic Residence by Hyatt at Lakeside Village (life care)
Lantana, Florida

Bentley Village, A Classic Residence by Hyatt (life care)
Naples, Florida

Classic Residence by Hyatt at The Glen (life care)
Glenview, Illinois

TidePointe, A Classic Residence by Hyatt (a membership community featuring fee-simple real estate and a fee-for-service care program)
Hilton Head Island, South Carolina

Communities Under Development

Classic Residence by Hyatt in Highlands Ranch (life care)
Highlands Ranch, Colorado

Classic Residence by Hyatt at Turtle Creek (life care)
Dallas, Texas

SHORT 1093

EXHIBIT 19

LA JOLLA VILLAGE TOWERS

— A CLASSIC RESIDENCE BY —

HYATT

MEMORANDUM

DATE: June 6, 2003
TO: All La Jolla Village Towers Residents
FROM: Jim Hayes
SUBJECT: Care Center Questions and Answers

James H. Hayes
Executive Director

La Jolla Village Towers,
A Classic Residence by Hyatt
8515 Costa Verde Blvd.
San Diego, CA 92122

Telephone (858) 646-7712
Fax (858) 646-7755
jhayes@hyattclassic.com

In conjunction with our up-coming Care Center seminars, we asked for questions you would like to have addressed... and you responded.

In preparation for the Care Center meetings, which will soon take place, I ask that you review the questions and answers we have provided. We hope they will be of help in making the seminars a successful effort for us all.

CLJ0013972

WHAT LA JOLLA VILLAGE TOWERS LONG-TERM CONTRACT QUESTIONS WOULD YOU LIKE TO HAVE ADDRESSED?

1. Under what conditions can my contract be terminated?
 - a. Under the residency agreement, your contract may be terminated for just cause for various reasons..
 - i. You fail to pay Your Monthly Fee or any other charges that are due.
 - ii. You fail to comply with the rules and regulations of the Community.
 - iii. Your continued residency at the Community poses a danger to Community, yourself, other residents, or staff.
 - iv. You refuse to be transferred in accordance with your contract.
 - v. Your continued residence at the Community interferes with the peaceful lodging of other residents or the administration of the Community.
 - vi. You materially breach this Contract, or made a material misrepresentation in your application to the Community or your contract.
 - vii. You willfully divest your assets, or transfer them for less than fair market value or mismanage your assets.
2. If Classic Residence by Hyatt should sell the Towers, would our contracts still be honored?
 - a. Yes. Under California law, a subsequent operator would honor your contracts.
3. What if Classic Residence by Hyatt goes bankrupt?
 - a. Classic Residence by Hyatt will not be going bankrupt. There is very little probability that a company as well managed as Classic Residence by Hyatt would go bankrupt. Bankruptcy proceedings are handled through the courts.
4. What is the refund procedure if I should leave?
 - a. The refund procedure is described under section VIII of the residency agreement. *When your Contract is terminated, You will be entitled to a repayment of the full amount of Your Entrance Fee Note, less the sum of: two percent (2%) of Your Entrance Fee for each month You resided at the Community up to the maximum charge for the Entrance Fee Program You selected, as indicated on Appendix D attached to this Contract. All outstanding Monthly Fees, Miscellaneous Expenses and Deferred Charges will be offset against your repayment amount. Repayments shall be paid to You within fourteen (14) calendar days after the date a new resident executes a continuing care residency agreement and pays the applicable entrance fee entitling him or her to occupy Your former Home, and provided that You make Your Home available to the Provider as defined in Section VIII.A.*
5. Do you intend to sell? If so, what happens to our entry fee?
 - a. No, we do not intend to sell. We intend to do just the opposite, invest in a significant expansion and upgrade of the property. Classic Residence by Hyatt has a significant investment in La Jolla Village Towers and considers it a major holding.
6. What is Classic Residence by Hyatt's definition of "unlimited".
 - a. The residency agreement defines an Extensive Continuing Care Plan as providing an unlimited number of days of service in the Care Center. As applied to the Long Term Care plan, "unlimited" refers to the number of day's coverage in the assisted living, memory support, and skilled nursing settings. Your coverage exists for an unlimited number of days, provided that you uphold the terms of the contract.

terminate this Contract unless it has just cause to do so. Just cause to terminate this Contract shall include, but not be limited to, the following circumstances:

(d) you refuse to be transferred in accordance with Section VII.A. and B., of this Contract;

42. Will I receive billing from the Care Center to forward to my insurance company? If so, how frequently?
- a. Yes. Billing is completed monthly.
43. What nursing care is available to me as a resident of the Care Center?
- a. As described above, you are entitled to room, meals, and assistive & nursing care appropriate to the care setting you are living in. Your coverage does not cover ancillary supplies and services such as medications, medical supplies, and therapies.
- b. Upon transfer from the independent setting to a higher level of care, you will be charged for one additional meal per day.
44. At what point can I change my coverage?
- a. As described above, a decision has not been made at this time.
45. Is there any difference in the care when changing coverage?
- a. No
46. How does our Kaiser Permanente Health Plan fit in with our possible need for Care Center services?
- a. Kaiser Permanente Health Plan is a Medicare HMO. If you elected Medicare coverage by HMO, you will still be able to use your benefits in our skilled nursing unit.
- b. Federal law requires Medicare HMO providers to allow residents of CCRC's to remain in the skilled units, even if the Community does not contract with the HMO.
47. Is the Care Center accepted by Medicare for rehab compensation?
- a. Yes.
- b. The Care Center also possesses an Outpatient Rehabilitation License. This enables LJVT to provide rehabilitation services such as Physical Therapy, Occupational Therapy, and Speech Therapy to Residents of the Independent apartments. Of course, these services are provided only under a physician's order.
48. Other than room and board and patient care, is the remainder of the expenses in SNF considered ancillary costs?
- a. Yes. Examples of ancillary costs not covered by your plan include medical supplies, medication, and rehabilitation such services as physical therapy, occupational therapy, and speech therapy.
49. After moving into the care center what expenses would I incur beyond the extra meals (30 lunches)? Please explain the extra charges involved...i.e.: laundry, injections, etc.
- a. As described above, you would be responsible for ancillary costs not covered by your plan, which include medical supplies, medication, and rehabilitation such services as physical therapy, occupational therapy, and speech therapy. Personal items such as toothpaste, etc., and personal laundry (clothing) are also not included.
50. Must I continue my Blue Shield coverage to be eligible for the Care Center?
- a. No. However, the residency agreement does require you to have either Medicare, or a long-term-care insurance plan acceptable to LJVT.
51. Since Medicare and Blue Shield do not cover custodial care, how long does my entry fee cover custodial care at the Care Center?
- a. As described above, the long-term-care plans entitle you to room, meals, and assistive & nursing care appropriate to the care setting you are living in. Your coverage does not cover ancillary supplies and services such as medications, medical supplies, and therapies. These items may be covered under a long-term care insurance plan. If you do not have them covered, you will need to pay privately.


- 
- b. The length of time you are covered depends upon the plan you select. The provisions for the plans are described above.
52. What free services would be available to me as an outpatient while I am in the Care Center?
- a. When you are in the Care Center, you are considered to be an in-patient. The services available in the Care Center under your plan are described above.
 - b. None of the services are really free. Under your contract, a portion of your entry fee is set aside to cover additional costs associated with the higher levels of care.
53. What are the coverage differences between 40, 42 and 80%?
- a. The 82% & 42% entrance fee returns apply to the Standard plan, which is the 360 day maximum / 22 day per quarter plan.
 - b. The 40% & 0% entrance fee returns apply to the Extensive plan, which is the one with unlimited covered days.
 - c. The selection is made in conjunction with your entering into a residency agreement.
54. What is the unlimited 40% plan?
- a. Actually the plan is called the Extensive plan. There is no unlimited plan.
 - b. You may select an entrance fee return of 40% or 0% under this plan. If you select 40% return, your entrance fee will be higher. If you select 0% return, your entrance fee will be lower.
 - c. Whichever return you select, you still receive unlimited days coverage.
55. What are the procedures when transferring from an HMO hospital like Kaiser to the Care Center? Is there anyone at the Care Center to co-ordinate this type of move?
- a. The Social Security Act defines our Skilled Nursing Unit as a "Home SNF," and requires your HMO to provide coverage for your stay as if you were in one of their "contracted" skilled nursing facilities.
 - b. The procedures are the same as a transfer from any hospital, except the HMO will need to be notified of your desire to return to your "Home Skilled Nursing Facility" so that LJVT will be able to bill for your care.
 - c. The Care Center Admission Clerk and Director of Social Services coordinate with your attending physician and the hospital discharge planners to facilitate your transfer.
 - d. Procedures for transfer are fairly routine and include the transfer of medical records summaries, obtaining physician orders, development of an initial plan of care, and completion of the admission paperwork. Our admission and nursing personnel in the Care Center facilitate all this.
56. How are memory support residents who create disturbances handled?
- a. Our special behavioral program has prepared trained Memory Support Caregivers to provide care for a wide variety of behavioral situations.
 - b. In cases where the resident may pose a threat to himself or other residents, a transfer to a higher level of care may be necessary. If this level of care is not available in our Care Center, the resident may be transferred to an outside unit.
57. Can the limitations of nursing care in Assisted Living and SNF be made clearer in our contract?
- a. A close reading of the various care plan options of the contract will give you a clear understanding of the coverage. The contract itself is written in accordance with the regulations of the State of California, and is designed to address all the issues inherent in the operation of a CCRC such as ours.
58. My LTC policy allows home care. Will that be honored and for how long?
- a. Although there are some strict limitations on Home care, it is a valuable option in many long-term care policies. Medicare also covers it.
 - b. Home care is provided by various Home Health Agencies. The length and amount of coverage depends upon the provisions of your Long Term Care policy or Medicare.
 - c. Home health care is not covered under the residency agreement.

EXHIBIT 20

9. Will we have to pay property taxes for our apartment?

No, not directly. As you know, you are not purchasing real estate. Thus, you will not have to pay individual real estate taxes on the value of your apartment. Your monthly fee currently helps cover the cost of property taxes for the entire community, which will continue to be the case in the future.

10. What are the tax consequences of a portion of our monies going toward health care?

The Internal Revenue Service has deemed that a portion of entrance fees and monthly fees may be deductible by residents of retirement communities as an expense for medical care in the year paid.

In terms of monthly fees, Revenue Ruling 67-185 states that when a taxpayer pays a monthly fee to a retirement community and proves that a specific portion of the monthly fee covers the costs of providing medical care, that portion of the fee is deductible by the taxpayer as an expense for medical care in the year paid, subject to the limitations prescribed in Section 213 of the Internal Revenue Code.

In terms of entrance fees, provisions under Section 213 of the Internal Revenue Code of 1954 and subsequent Internal Revenue Rulings numbers 75-302 and 76-481 have been interpreted to allow for a portion of the entrance fee paid by residents of a retirement community to be deductible as prepaid medical services to be rendered at a later date. We have determined that 8 percent of the entrance fee will be utilized to cover long-term care expenses.

We recommend that you seek advice from your tax consultant to determine if you can make use of the Internal Revenue Code interpretation on your individual tax return. The final decision on whether or not you should make any claim for a deduction must rest with you and your tax advisor. If you do claim a medical expense deduction for a portion of the entrance fee and later receive a refund of any portion of the entrance fee, such refund may be taxable in the year in which the refund is received.

SHORT 0250

9. Will we have to pay property taxes for our apartment?

No, not directly. As you know, you are not purchasing real estate. Thus, you will not have to pay individual real estate taxes on the value of your apartment. Your monthly fee currently helps cover the cost of property taxes for the entire community, which will continue to be the case in the future.

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In terms of entrance fees, provisions under Section 213 of the Internal Revenue Code of 1954 and subsequent Internal Revenue Rulings numbers 75-302 and 76-481 have been interpreted to allow for a portion of the entrance fee paid by residents of a retirement community to be deductible as prepaid medical services to be rendered at a later date. We have determined that 8 percent of the entrance fee will be utilized to cover long-term care expenses. *(Standard Plan) approx 40% for extensive health care*

We recommend that you seek advice from your tax consultant to determine if you can make use of the Internal Revenue Code interpretation on your individual tax return. The final decision on whether or not you should make any claim for a deduction must rest with you and your tax advisor. If you do claim a medical expense deduction for a portion of the entrance fee and later receive a refund of any portion of the entrance fee, such refund may be taxable in the year in which the refund is received.

EXHIBIT 21

LA JOLLA VILLAGE TOWERS

— A CLASSIC RESIDENCE BY —
HYATT

MEMORANDUM

To: All Residents

From: Carolyn Zuehl

Date: November 14, 2000

Re: Income Tax Deductions

The following information is being provided to you for Income Tax planning purposes. These items may be tax deductible, pursuant advice of your tax accountant. (See attached)

For those residents who have selected the 360 day Standard Care Plan Option with a 42% and 82% repayment plan, 8% of your total entrance fee paid is considered to be for pre-paid Long Term Care.

For those residents who have selected the Unlimited Care Plan with a 0% and 40% repayment plan, approximately 23% of your total entrance fee paid is considered to be for pre-paid Long Term Care, as well as the entire \$18,000 for the second person covered.

Per page 6, paragraph 14, of the CCRC agreement, the estimated amount of your monthly fee attributable to Real Estate Taxes is \$2.00 per square foot. To compute the annual figure, multiply the total square footage of your apartment by \$2.00

EXHIBIT 22

LA JOLLA VILLAGE TOWERS

— A CLASSIC RESIDENCE BY —

HYATT

MEMORANDUM

To: All Residents

From: Carolyn Zuehl

Date: December 6, 2001

Re: Income Tax Deduction

vi/24
If you signed your CCRC agreement with Classic Residence by Hyatt in the year 2001 the following information applies and is being provided to you for Income Tax planning purposes. These items may be tax deductible, pursuant advice of your tax accountant.

For those residents who have selected the 360 day Standard Care Plan Option with a 42% and 82% repayment plan, 8% of your total entrance fee paid is considered to be for pre-paid Long Term Care.

For those residents who have selected the Unlimited Care Plan with a 0% or 40% repayment plan, approximately 23% of your total entrance fee paid is considered to be for pre-paid Long Term Care.

$$\$331,346 \times 0.23 = \$76,209.58$$

Additional information regarding the percentage of your monthly fee related to health care and the Wellness Center will follow in February, after the close of the calendar year.

Per page 6, paragraph 14, of the CCRC agreement, the estimated amount of your monthly fee attributable to Real Estate Taxes is \$2.15 per square foot. To compute the annual figure multiply the total square footage of your apartment by \$2.15.

$$\text{Plan A } 1,112 \text{ sq ft} \times 2.15 = \$2,391$$

If you do not know the square footage of your apartment, please call Jeanne in the Marketing department at 646-7745.

SHORT 1270

EXHIBIT 23

LA JOLLA VILLAGE TOWERS

MANAGED BY
HYATT®

February 18, 2004

CLAYTON & MILDRED SHEHORN
8515 Costa Verde Blvd.
203
San Diego, CA 92122

\$ 112,155.²⁹

RE: Medical Tax Deduction

Section 213 of the Internal Revenue Code (the "Code") allows the deductibility of medical expenses subject to the limitations and provisions of the Code. Internal Revenue Rulings, including but not limited to Revenue Ruling 75-302 and 76-481, address the deductibility of fees paid to retirement facilities for the provision of medical care.

The IRS has not, however, provided any clear guidance as to a specific method to determine the medical cost percentage to be applied to fees paid by residents of retirement communities. As a result, it is our belief that we have settled upon, based on available guidance and consultation with others, a reasonable methodology to estimate the portion of fees paid by residents of our communities that may relate to medical expenses. Based upon our estimate, the medical cost percentage for 2003 for entrance fees and basic monthly fees paid by you during 2003 may be 44.2 %. \$253,742

Please note that since these determinations are inherently factual in nature, they may be subject to future challenge and are further subject to interpretations and rulings that may be issued by the Internal Revenue Service. Further, we are not experts in rendering tax advice or in interpreting the Code and regulation promulgated thereunder, and this letter is not intended and should not be relied upon by you in that regard. In addition, if you claim a medical expense deduction for a percentage of the entrance fee and later receive a refund of all or a part of such fee, such refund may be taxable in the year the refund is received.

You should seek advice from your tax consultant and other applicable advisors regarding your eligibility for a medical expense deduction. It is your responsibility, with the assistance of your advisors, to determine the appropriate deduction. If your advisors have any questions or need additional information, please call or write the executive director of your community.

SHEHORN 0049

EXHIBIT 24

LA JOLLA VILLAGE TOWERS

— A CLASSIC RESIDENCE BY —

~~HYATT~~

MEMORANDUM

James H. Hayes
Executive Director

La Jolla Village Towers,
A Classic Residence by Hyatt
8515 Costa Verde Blvd.
San Diego, CA 92122

Telephone (858) 646-7712
Fax (858) 646-7755
jhayes@hyattclassic.com

DATE: August 6, 2003
TO: All Residents
FROM: Jim Hayes
SUBJECT: Handbook Policies



From time to time the Resident Handbook is revised to update policies and procedures. Attached is information outlining our policy regarding the following:

- Parking and Driving Safety
- Transportation
- Wellness Center Operations

These addendums should be filed with your existing Resident Handbook to keep it current. Should you have any questions, please do not hesitate to contact me.

ADDENDUM #4

LA JOLLA VILLAGE TOWERS, A CLASSIC RESIDENCE BY HYATT

RESIDENT HANDBOOK

WELLNESS CENTER OPERATIONS

It is the responsibility of the LJVT Wellness Center to provide regular observation and monitoring of your health status through the following services:

- ✓ Office hours for the Wellness Center are 8:00 a.m. to 4:30 p.m. Monday through Friday. During non-office hours and on weekends, licensed nurses are on call.
 - Wellness Office Phone is 646-3421.
 - For **Emergencies**, call the Concierge at 646-7700, or 911 for Paramedics.
- ✓ For each Resident, an individual assessment and service plan are maintained by the Wellness Center. This assessment and plan are updated annually, or when a Resident's condition changes.
- ✓ An interdisciplinary Care Team meets quarterly, or as needed, to make decisions regarding Resident care and health transfers. This team consists of our Medical Director (a Medical Doctor), the Director of Wellness (a Registered Nurse), the Executive Director, the Care Center Administrator, and other professionals as needed. Additionally, when health transfers are discussed, the Resident, family members, and the attending physician are encouraged to attend.
- ✓ Residents may visit the Wellness Center for blood pressure and vital sign monitoring.
- ✓ We ask that you contact the Wellness Center for monitoring and consultation if you experience a change in your health condition, or have a surgery or treatment procedure scheduled.
- ✓ In case of emergency, our Licensed Nurses can assess your situation, render first aid and lifesaving intervention, and obtain ambulance and paramedic assistance.
- ✓ Our nurses also provide minor first aid.
- ✓ If you are returning from the hospital or become ill, the Wellness Center may authorize meal delivery to your apartment home, for a limited time, without cost to you.
- ✓ The Wellness Center is equipped to provide central storage and distribution of medications. However, regular medication administration and/or medication setup assistance is at your expense.
- ✓ Any treatments by our Licensed Nurses – such as wound care, injections, glucose sticks, etc. may - by regulation - only be provided under the orders of a Physician. These services are at your expense. Fees are based upon the Community's cost of nursing labor in 15-minute increments, and are posted in the Wellness Center.
 - Medical Supplies and equipment are billed per the Medical Supply master charge list, available in the Wellness Center.
 - Regular medication administration is not a service consistent with an Independent or Assisted level of care. However, the Wellness Center will provide this service on a temporary basis at your expense. The charge for this service is posted in the Wellness Center.

EXHIBIT 25

**LA JOLLA
VILLAGE TOWERS**
A CLASSIC RESIDENCE BY
HYATT®

March 10, 2000

Dear La Jolla Village Towers Residents,

The following information is in response to questions raised at our resident review meetings regarding legal aspects of our Continuing Care Residency Agreement.

It has been a pleasure spending time with you to review the Continuing care Residency Agreement. I hope you will find the following information helpful.

1. Signing Your Continuing Care Residency Agreement Prior To State Approval:

Many of you asked what the procedure will be to sign the current draft Residency Agreement so you can be covered under the Continuing Care Program you have selected. You may sign the Residency Agreement that is being reviewed by the State of California for approval. You will then receive a letter upon signing this Agreement, which states Classic Residence's commitment to provide the continuing care coverage according to the plan you selected.

Your monthly fee will adjust to the Continuing Care Monthly Fee, retroactive to the beginning of February or March (depending on what month you sign your Agreement). Once we receive State approval, we will go over any changes to the current draft and you will be asked to sign this final Agreement within thirty days. To arrange to sign your Residency Agreement please call the Sales Office at extension 7745.

- 2. Care Center Line of Credit Addendum:** It was brought to my attention that the Care Center Line of Credit Addendum was not attached to the revised Residency Agreement. This Line of Credit only applies to the Standard Continuing Care Plan and was previously approved by the State. We intend to offer the Care Center Line of Credit and the Addendum will be included on the final Agreement for those of you who selected the Standard Continuing Care Plan.
- 3. Combined Apartments Addendum:** For those residents, who have signed up for multiple apartments, you will sign an addendum that outlines your additional benefits.

8515 Costa Verde Blvd., San Diego, CA 92122 • Telephone (619) 646-7712 • Facsimile (619) 646-7755

4. **Financial Disclosure Statement:** The Residency Agreement provides that you will receive a copy of updated financial statements. Classic Residence by Hyatt's fiscal year ends January 31st. Our audit should be completed by mid-March and we will file the audited statements with the State and distribute a copy to residents.
5. **Resident Handbook:** Many of you asked if the Resident Handbook would still be in effect once you sign the Continuing Care Residency Agreement. Yes, the Resident Handbook is incorporated in the Agreement and sets forth certain day-to-day operating policies of the community. Upon signing your Residency Agreement you will sign a receipt acknowledging you have received the Resident Handbook. The receipt will be filed with your Agreement.
6. **Subordination Agreement:** A few weeks ago you received a letter stating that we had successfully negotiated the terms of a subordination agreement to be entered into between the existing secured debt holders and the Trustee of the Master Trust, of which you (the residents) will be beneficiaries. It was asked if this Subordination Agreement had been recorded. A modification to the existing secured debt documents was executed and recorded, the agreed upon form of the Subordination Agreement was attached as an exhibit to that recorded modification. The Subordination Agreement will be executed between the Master Trust and the existing secured debt holders at the time we apply for the entrance fee escrow. We expect to make that application this summer. The Subordination Agreement will be available to all residents at that time in the Administration office.
7. **Master Trust and Promissory Note:** Someone asked if the Promissory Note changed our original Master Trust structure. No, this addition does not change the original Master Trust structure. As before, all Entrance Fees will initially be held in escrow. Once the State releases the escrow, the Entrance Fee proceeds and the Promissory Notes will be transferred to the Master Trust, which is administered by a Trustee. The Master Trust will loan the funds it received to Classic Residence by Hyatt, and we will use the funds to pay down approved liabilities for La Jolla Village Towers. The Promissory Note was added to further evidence Classic Residence by Hyatt's obligation to repay your Entrance Fee in accordance with the terms of your Residency Agreement.
8. **Negotiation of Master Trust:** Someone asked a reference made in the Residency Agreement to define the term "Negotiation" of the Note of the Master Trust. Negotiation is a legal term, which means to transfer the Note in this case.

When you negotiate the Promissory Note to the Master Trust, you will also execute a transfer to the Master Trust. The Master Trust will, in turn, administer the Master Trust as your fiduciary, which will include collecting on your behalf payments due under your Entrance Fee Promissory Note.

9. **Designation of Legal Guardian:** Several of you asked if the Agreement could include language in terms of decisions regarding your transfer to the Care Center to include your designated legal guardian in addition to reference to family members. This change will appear in the approved Agreement.

Please feel free to contact Vicky Simpson if there are any other questions.

Sincerely,

Stacie Mills

Stacie Mills
Assistant Vice President of Sales and Marketing
Classic Residence by Hyatt

cc: Vicky Simpson, Executive Director
David Kane, Vice President of Operations
Mary Leary, Chief Operating Officer

EXHIBIT 26

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF SAN DIEGO

3 DONALD R. SHORT, JAMES F.)
4 GLEASON, CASEY MEEHAN,)
5 MARILYN SHORT, PATTY)
6 WESTERVELT, and DOTTIE YELLE,)
7 individually, and on behalf of)
8 all other similarly situated,)
9 Plaintiffs,)

vs.

Certified Copy

) No. GIC877707

10 CC-LA JOLLA, INC., a Delaware) VOLUME II
11 Corporation, CC-LA JOLLA,)
12 L.L.C., a Delaware limited)
13 liability company,)
14 CC-DEVELOPMENT GROUP, INC.,)
15 CLASSIC RESIDENCE MANAGEMENT)
16 LIMITED PARTNERSHIP, an)
17 Illinois Limited Partnership,)
18 and DOES 1 to 110, inclusive,)
19 Defendants.)

20 Continued Videotaped deposition of DONALD R.
21 SHORT, at 12531 High Bluff Drive, Suite 100,
22 San Diego, California, commencing at 9:02 a.m.,
23 Friday, October 12, 2007, before Shuri Gray,
24 CSR No. 3786.
25 PAGES 216 - 349

1 A. Well, I became concerned about the -- about the 11:33AM
2 defendants fulfilling their promises made to us at the
3 time we made the decision to join the community. For
4 example, and specifically, I became concerned about the
5 abrogation of Hyatt's responsibility to provide 24-hour 11:34AM
6 emergency medical response, which was promised to us at
7 the time that we entered, but which was abrogated
8 sometime in 2004, 2005. And we are now told that if we
9 have a medical -- medical emergency in the middle of the
10 night to call 911, which is what anybody can do. 11:34AM
11 Nothing -- nothing special about that at all. And yet
12 that was a very important consideration at the time that
13 we moved into the Towers and was abrogated by --
14 unilaterally by Hyatt.

15 And so I began to wonder about all of the other 11:35AM
16 promises made by Hyatt, such as providing long-term
17 health care, that my entrance fee was paying for my
18 long-term health care.

19 Q. Okay. Anything other than the 24 -- the change
20 in emergency response that has caused you to question 11:35AM
21 whether or not the defendants will provide long-term
22 health care to you and your wife in the care center if
23 necessary at the regular monthly fee?

24 A. The 24-hour emergency response was the most
25 important. There have been other things that Hyatt has 11:36AM