

EXHIBIT 2

1 **MICHAEL A. CONGER, ESQUIRE (State Bar #147882)**
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8 Attorney for Plaintiff Donald R. Short, individually,
9 and 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, individually, and)	CASE NO: GIC877707
13 on behalf of all others similarly situated)	
14 Plaintiff,)	Judge: Linda B. Quinn
15 v.)	Dept: 74
16 CC-LA JOLLA, Inc., a Delaware Corporation,)	Complaint filed: December 29, 2006
17 CC-LA JOLLA, L.L.C., a Delaware limited liability)	
18 company, and DOES 1 to 50, inclusive,)	PLAINTIFF'S SPECIAL
19 Defendants.)	INTERROGATORIES
)	PROPOUNDED TO DEFENDANT
)	CC-LA JOLLA, INC.
)	[SET NO. ONE]

20 **PROPOUNDING PARTY: PLAINTIFF DONALD R. SHORT**

21 **RESPONDING PARTY: DEFENDANT CC-LA JOLLA, INC.**

22 **SET NO: ONE**

23 **INSTRUCTIONS AND DEFINITIONS**

24 1. The following directions, guidelines and definitions are to be considered
25 applicable to all questions contained in this set of written interrogatories unless made expressly
26 inapplicable by the context of the particular question.

27 2. In answering these interrogatories, furnish all information which is available to
28 you, including all information in the possession of your attorneys, or investigators for your
attorneys, or anyone employed on your behalf, and not merely such information known of your
own personal knowledge.

3. If you cannot fully answer each interrogatory after exercising due diligence to

1 secure the information to do so, so state, and answer to the extent possible; and state what efforts
2 were made by you to obtain information or knowledge requested in the unanswered portions.

3 4. Each term or phrase used herein shall be considered to have its ordinary or
4 common meaning, unless conclusively negated by the context of the question, or by the
5 provisions of these instructions.

6 5. Each term or phrase used herein which is also used in the Complaint on file herein
7 shall be deemed to have the same meaning as it is used in the Complaint.

8 6. The term "person" as used herein shall include, in the plural as well as the
9 singular, any natural person, firm, association, organization, partnership, business trust,
10 corporation, governmental or public entity, or any other form of legal entity.

11 7. The term "YOU" as used herein shall be deemed to include your attorneys,
12 agents, investigators, insurers, representatives, and anyone else acting on your or their behalf.

13 8. The term "plaintiff" as used herein shall be deemed to mean the plaintiff named in
14 the complaint and first amended complaint.

15 9. The terms "the defendant" and "this defendant" as used herein shall be deemed to
16 mean the defendant to whom these interrogatories have been propounded.

17 10. Whenever an interrogatory asks that a person (as defined in No. 6 herein) be
18 identified, state the full name, address, telephone number and business position of each person so
19 identified.

20 11. Whenever an interrogatory asks for an address and telephone number of any
21 person or persons, you are requested to furnish both the business and residence address,
22 including suite or apartment number, and the business and residence telephone number.

23 12. The term "documents" as used herein shall be deemed to mean all writings
24 papers, notes, records, films, photographs, recordings, tapes, transcriptions, books and other
25 things, whether or not in your possession or under your control, directly or indirectly, relating to
26 or pertaining in any way to the subject matters limited to, all originals, copies and duplicates, or
27 other reproductions, whether prepared by handwriting, typewriting, printing, photostating, or any
28 other means of recording upon tangible things, any form of communications or representation,

1 including letters, words, pictures, sound, or symbols, or any combination thereof.

2 13. Whenever an interrogatory shall request that you state or identify a person's
3 occupation, business title or business or identify a person's occupation, business title or business
4 position, this means to state the nature or type of business engaged in or conducted, the name,
5 address and telephone number of the employer's principal place of business, an the person's
6 general functions, responsibilities and duties in this employment, including any titles or offices
7 held.

8 14. "Tower I" shall refer to 20-story residential building located at 8515 Costa Verde
9 Boulevard, San Diego, California 92122, consisting of approximately 220 residential units.

10 INTERROGATORIES

11 INTERROGATORY NO. 1:

12 Please identify each resident of Tower I since January 1, 1997, by assigning that resident
13 a number (do not identify residents by name), and for each resident please state:

- 14 (a) the date that resident signed any continuing care contract with **YOU** (or any
15 predecessor or affiliated entity);
- 16 (b) the version of the continuing care contract that resident signed;
- 17 (c) whether that version of the continuing care contract was approved by the
18 Department of Social Services;
- 19 (d) the date such version of the continuing care contract was approved by the
20 Department of Social Services;
- 21 (e) the date that resident and/or co-tenant (such as his or her spouse) moved in;
- 22 (f) the total entrance fee paid by that resident and/or co-tenant;
- 23 (g) the initial monthly rent paid by that resident and/or co-tenant;
- 24 (h) the current monthly rent paid by that resident and/or co-tenant; and
- 25 (i) the date that resident and/or co-tenant terminated his or her residency in Tower I,
26 including move out, relocation, or transfer to your care center, or death.

27 INTERROGATORY NO. 2:

28 Please state, by percentage, the amount of the annual increase in Tower I residents'

1 monthly fees since January 1, 1997.

2 **INTERROGATORY NO. 3:**

3 Please state, in dollars, the total amount of the annual increase in Tower I residents'
4 monthly fees for each year since January 1, 1997.

5 **INTERROGATORY NO. 4:**

6 Please state the date YOU closed the front entrance.

7 **INTERROGATORY NO. 5:**

8 Please state the date YOU closed the pool.

9 **INTERROGATORY NO. 6:**

10 Please state the date YOU relocated the mail room.

11 **INTERROGATORY NO. 7:**

12 Please state the date YOU stopped permitting residents to self-park and required valet
13 parking.

14 **INTERROGATORY NO. 8:**

15 Please state the date YOU began construction of the second tower.

16 **INTERROGATORY NO. 9:**

17 Please identify the general contractor of the construction project currently underway.

18 **INTERROGATORY NO. 10:**

19 Please identify each person YOU employed in an administrative capacity since January
20 1, 2000, and for each such person state that person's:

- 21 (a) name;
- 22 (b) dates of employment;
- 23 (c) job title; and
- 24 (d) present (or last known address) and telephone number.

25 **INTERROGATORY NO. 11:**

26 Please identify each person YOU employed in a marketing capacity since January 1,
27 2000, and for each such person state that person's:

- 28 (a) name;

- (b) dates of employment;
- (c) job title; and
- (d) present (or last known address) and telephone number.

INTERROGATORY NO. 12:

Please identify each person **YOU** employed in an accounting capacity since January 1, 2000, and for each such person state that person's:

- (a) name;
- (b) dates of employment;
- (c) job title; and
- (d) present (or last known address) and telephone number.

INTERROGATORY NO. 13:

Please identify each person **YOU** employed in a bookkeeping capacity since January 1, 2000, and for each such person state that person's:

- (a) name;
- (b) dates of employment;
- (c) job title; and
- (d) present (or last known address) and telephone number.

INTERROGATORY NO. 14:

Please identify each person **YOU** employed in a financial capacity since January 1, 2000, and for each such person state that person's:

- (a) name;
- (b) dates of employment;
- (c) job title; and
- (d) present (or last known address) and telephone number.

INTERROGATORY NO. 15:

Please identify each person **YOU** employed in a human resources capacity since January 1, 2000, and for each such person state that person's:

- (a) name;

- 1 (b) dates of employment;
2 (c) job title; and
3 (d) present (or last known address) and telephone number.

4 **INTERROGATORY NO. 16:**

5 Please identify each person **YOU** employed in a management capacity since January 1,
6 2000, and for each such person state that person's:

- 7 (a) name;
8 (b) dates of employment;
9 (c) job title; and
10 (d) present (or last known address) and telephone number.

11 **INTERROGATORY NO. 17:**

12 Please identify each of your owners, partners, and/or shareholders, and for each such
13 person or entity state:

- 14 (a) that person's name or legal entity's name;
15 (b) the percentage of ownership stake of such person or entity; and
16 (c) the present (or last known address) and telephone number or such person or
17 entity.

18
19 Dated: February 28, 2007

LAW OFFICE OF MICHAEL A. CONGER

20
21 By:



22 Michael A. Conger
23 Attorney for Plaintiff
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25
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27
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EXHIBIT 3

SPECIAL INTERROGATORY #1

No.	(a)/(c) Date DSS Approved CCRA Signed or Rental Agreement Signed	(b) Version of CCRA Signed or Version of Rental Agreement Signed	(d) Date of CCRA Approval by DSS	(e) Physical Move-In Date	(f) Total Entrance Fee Paid			(g) Initial Monthly Fees		(h) Current Monthly Fees (as of 2/07)		(i) Financial Termination Date
					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
1	2/11/05	2/24/2000	2/28/2000	2/20/05	\$ 465,400			\$2,900	\$1,000			
2	4/14/00	2/24/2000	2/28/2000		\$ 388,800	\$ 18,000		\$2,885	\$550	\$ 4,058.00	\$ 736.77	
3	same	2/24/2000	2/28/2000		same	same		same	same	same	same	
4	3/5/04	2/24/2000	2/28/2000	3/10/04	\$ 279,261			\$2,345	N/A	\$ 2,689.00		
5	3/20/00	2/24/00	2/28/2000		\$ 149,825			\$1,902	N/A			1/21/05
6	8/10/04	2/24/2000	2/28/2000	8/11/04	\$ 233,600			\$2,530	N/A	\$ 2,901.00		
7	3/27/00	6/2/1998	N/A		\$ 296,275			\$2,840	N/A	\$ 2,743.00		
8	5/21/98	4/28/1998	N/A					\$1,767	N/A			7/20/98
9	1/19/07	1/1/2006	12/20/2005	1/25/07	\$ 529,500			\$3,518	N/A	\$ 3,518.00		
10	2/28/06	1/1/2006	12/20/2005		\$ 473,000			\$3,000	N/A	\$ 3,150.00		
11	7/26/06	1/1/2006	12/20/2005		\$ 380,000			\$2,800	\$1,050	\$ 2,940.00		
12	7/26/06	1/1/2006	12/20/2005									
13	3/21/00	2/24/2000	2/28/2000		\$312,425			\$2,120	\$550			
14	3/21/00	2/24/2000	2/28/2000									
15	1/21/02	2/24/2000	2/28/2000	2/21/02	\$ 290,808	\$ 18,000	\$ 15,792	\$2,191	\$618	\$ 2,739.00		
16	4/30/06	1/1/2006	12/20/2005	6/19/06	\$ 491,640		\$123,060	\$3,000	N/A	\$ 3,150.00		
17	4/13/00	2/24/2000	2/28/2000		\$ 257,900			\$2,361	N/A			
18	6/24/00	2/24/2000	2/28/2000	6/30/00	\$ 345,375			\$2,060	N/A	\$ 2,898.00		
19	9/25/02	2/24/2000	2/28/2000	10/3/02	\$ 287,019	\$ 18,000	\$ 82,481	SAME	\$618	\$ 2,897.00	\$ 737.10	
20	same	2/24/2000	2/28/2000	same	same	same	same	\$2,231	\$618	same	same	
21	5/13/98	4/28/1998	N/A					\$2,050	\$650			8/25/98
22	3/24/00	2/24/2000	2/28/2000		\$ 224,975	\$ 18,000		\$1,745	\$550	\$ 2,455.00		
23	12/19/00	2/24/2000	2/28/2000		\$483,730			\$2,325	N/A			1/31/05
24	5/19/98	4/28/1998	N/A		\$244,900			\$2,308	\$650			9/25/98
25	5/19/98	4/28/1998	N/A									
26	2/28/01	2/24/2000	2/28/2000		\$461,000			\$2,067	\$583	\$ 4,452.00		
27	2/28/01	2/24/2000	2/28/2000									
28					\$ 461,000							
29					\$ 304,900							
30	6/11/01	2/24/2000	2/28/2000		\$ 227,755			\$1,850	N/A	\$ 2,455.00		

No.	(a)(c) Date DSS Approved CCRA Signed or Rental Agreement Signed	(b) Version of CCRA Signed or Version of Rental Agreement Signed	(d) Date of CCRA Approval by DSS	(e) Physical Move-In Date	(f) Total Entrance Fee Paid			(g) Initial Monthly Fees		(h) Current Monthly Fees (as of 2/07)		(i) Financial Termination Date
					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
31	3/3/00	2/24/2000	2/28/2000		\$ 242,900			\$1,950	\$550	\$ 2,743.00		
32	5/21/98	4/28/1998	N/A					\$2,075	N/A			
33	11/1/00	2/24/2000	2/28/2000		\$542,810			\$3,200	\$550			after 2/18/06
34	11/21/00	2/24/2000	2/28/2000		\$ 302,846	\$ 18,000		\$1,950	\$550	\$ 2,743.00	\$ 736.77	
35	same	2/24/2000	2/28/2000		same	same		same	same	same	same	same
36	4/25/00	2/24/2000	2/28/2000	5/17/00	\$ 327,400			\$2,120	N/A	\$ 2,962.00		
37	4/30/01	2/24/2000	2/28/2000		\$ 330,304			\$2,248	\$583	\$ 2,983.00	\$ 736.77	
38	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
39	5/27/04	2/24/2000	2/28/2000	8/10/04	\$ 203,477			\$1,905	N/A	\$ 3,153.00		
40					\$ 148,523							
41	3/19/01	2/24/2000	2/28/2000	4/18/01	\$ 383,250			\$2,067	N/A	\$ 2,743.00		
42	3/27/00	2/24/2000	2/28/2000		\$449,200	N/A		\$2,885	\$550			
43	3/27/00	2/24/2000	2/28/2000		\$ 449,200			\$ 2,885	\$ 550	\$ 4,058.00		
44	4/15/00	2/24/2000	2/28/2000	8/15/97	\$ 268,325			\$1,950	N/A	\$ 2,743.00		
45				5/12/06								
46	4/12/05	2/24/2000	2/28/2000	4/19/05	\$ 401,500		\$100,300	\$2,850	N/A	\$ 3,142.00		
47	3/31/00	2/24/2000	2/28/2000	4/3/00	\$ 369,975			\$2,325	\$550	\$ 3,270.00		
48	3/28/00	2/24/2000	2/28/2000		\$ 338,175			\$1,950	N/A	\$ 2,743.00		
49	2/17/05	2/24/2000	2/28/2000	5/29/05	\$1,222,000			\$4,850	N/A			
50	4/19/00	2/24/2000	2/28/2000		\$341,735			\$2,060	\$550			11/10/04
51	9/26/00	2/24/2000	2/28/2000	9/26/00	\$ 252,534			\$1,745	N/A	\$ 2,455.00		
52	4/20/00	2/24/2000	2/28/2000	5/6/07	\$ 114,875			\$1,745	N/A	\$ 2,455.00		
53	3/28/00	2/24/2000	2/28/2000		\$ 287,725			\$1,950	N/A	\$ 2,743.00		
54	4/12/00	2/24/2000	2/28/2000	4/12/00	\$ 310,700			\$2,000	\$550	\$ 2,898.00	\$ 736.77	
55	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
56	3/27/00	2/24/2000	2/28/2000	7/10/96	\$ 300,900			\$2,080	\$550	\$ 2,898.00		
57	11/30/04	2/24/2000	2/28/2000	12/3/04	\$ 510,000			\$2,850	N/A	\$ 3,268.00		
58	12/15/00	2/24/2000	2/28/2000	12/15/00	\$ 331,800		\$ 82,950	\$1,950	\$550	\$ 2,743.00	\$ 736.77	
59	same	2/24/2000	2/28/2000	same	same		same	same	same	same	same	
60	12/13/02	2/24/2000	2/28/2000	12/12/02	\$ 215,788		\$108,793	\$1,961	\$618	\$ 2,743.00	\$ 737.32	
61	same	2/24/2000	2/28/2000	same	same		same	same	same	same	same	
62	2/28/02	2/24/2000	2/28/2000	2/28/02	\$ 247,200			\$1,905	N/A	\$ 2,385.00		

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
63								\$2,150	N/A			5/15/98
64	12/30/05	Jul-05	8/1/2005	2/24/06	\$753,000			\$4,300	\$1,000		\$ 1,050.00	
65	same	Jul-05	8/1/2005	same	\$ 778,000			same	same	\$ 4,741.00		
66	5/26/98	4/28/1998	N/A					\$1,945	N/A			
67								\$1,963	N/A			
68	3/20/00	2/24/2000	2/28/2000		\$ 323,125	\$ 18,000		\$2,120	\$550	\$ 2,982.00		
69	same	2/24/2000	2/28/2000	same	same	same		same	same		\$ 736.77	
70	5/30/01	2/24/2000	2/28/2000		\$ 282,946			\$2,067	\$583	\$ 2,743.00	\$ 736.77	
71	same	2/24/2000	2/28/2000		same			same	same	same	same	
72	5/19/01	2/24/2000	2/28/2000	5/22/01	\$ 194,850			\$1,506	N/A	\$ 1,998.00		
73	6/23/00	2/24/2000	2/28/2000	6/23/00	\$ 315,525			\$1,950	N/A	\$ 2,743.00		
74	4/14/00	2/24/2000	2/28/2000	11/28/97	\$ 491,000			\$2,885	\$550	\$ 4,058.00	\$ 736.77	
75	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
76	3/15/02	2/24/2000	2/28/2000		\$ 236,500		\$ 66,964	\$1,905	N/A	\$ 2,370.00		
77	4/19/02	2/24/2000	2/28/2000		\$303,214			\$2,191	N/A			
78	11/22/00	2/24/2000	2/28/2000		\$ 309,330	\$ 18,000		\$1,950	\$550	\$ 2,743.00	\$ 736.77	
79	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
80	4/2/01	2/24/2000	2/28/2000	4/6/01	\$ 395,900			\$2,465	\$583	\$ 3,271.00	\$ 736.77	
81	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
82	12/11/02	2/24/2000	2/28/2000		\$ 229,933	\$ 18,000	\$ 87,902	\$1,961	\$618			
83	same	2/24/2000	2/28/2000		same	same	same	same	same	\$ 2,267.00		
84	3/30/00	2/24/2000	2/28/2000		\$ 429,950			\$2,480	N/A	\$ 3,488.00		5/15/05
85	12/7/00	2/24/2000	2/28/2000	12/7/00	\$ 310,118			\$1,985	N/A	\$ 2,792.00		
86	4/29/02	2/24/2000	2/28/2000	4/19/02	\$ 248,063			\$2,117	N/A	\$ 2,650.00		
87	3/28/03	2/24/2000	2/28/2000	4/13/03	\$ 290,000	\$ 18,000		\$2,257	\$636	\$ 2,743.00	\$ 736.23	
88	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
89	9/5/00	2/24/2000	2/28/2000	9/6/00	\$ 312,375	\$ 18,000		\$1,985	\$550	\$ 2,792.00	\$ 736.77	
90	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
91	4/13/00	2/24/2000	2/28/2000		\$220,600	N/A		\$1,695	N/A			
92	8/2/00	2/24/2000	2/28/2000		\$533,400	N/A		\$2,480	N/A			
93	3/27/00	2/24/2000	2/28/2000		\$ 222,264	\$ 18,000		\$1,875	\$550	\$ 2,637.00	\$ 736.77	
94	same	2/24/2000	2/28/2000		same	same		same	same	same	same	

No.	(a)/(c) Date DSS Approved CCRA Signed or Rental Agreement Signed	(b) Version of CCRA Signed or Version of Rental Agreement Signed	(d) Date of CCRA Approval by DSS	(e) Physical Move-In Date	(f) Total Entrance Fee Paid			(g) Initial Monthly Fees		(h) Current Monthly Fees (as of 2/07)		(i) Financial Termination Date
					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
95	9/19/00	2/24/2000	2/28/2000		\$ 331,700	\$ 18,000		\$2,120	\$550	\$ 2,982.00		
96	4/21/00	2/24/2000	2/28/2000		\$177,500	N/A		\$1,695	N/A			
97	3/30/00	2/24/2000	2/28/2000		\$ 306,975	\$ 18,000		\$1,950	\$550	\$ 2,743.00	\$ 736.77	
98	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
99	7/24/00	2/24/2000	2/28/2000		\$ 326,775			\$1,950	N/A	\$ 2,743.00		
100	5/20/98	4/28/1998	N/A					\$3,662	\$675			
101	3/27/00	2/24/2000	2/28/2000	7/31/96	\$ 147,875			\$1,420	N/A	\$ 1,997.00		
102	5/19/98	4/28/1998	N/A					\$2,299	\$650			2/2/99
103	9/5/00	2/24/2000	2/28/2000	6/29/01	\$ 471,679			\$2,885	\$550	\$ 4,058.00		
104	1/31/01	2/24/2000	2/28/2000	3/6/01	\$ 432,390	\$ 18,000		\$3,059	\$583	\$ 4,059.00	\$ 736.77	
105	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
106	1/26/01	2/24/2000	2/28/2000	1/24/01	\$ 540,000			\$3,059	\$583	\$ 4,059.00	\$ 736.77	
107	1/26/00	2/24/2000	2/28/2000	same	same			same	same	same	same	
108	8/9/02	2/24/2000	2/28/2000		\$313,075			\$1,905	N/A	N/A	N/A	11/30/05
109	1/31/06	Jul-05	8/1/2005	4/6/06	\$ 977,000			\$4,765	\$1,035	\$ 5,072.00		
110	3/31/00	2/24/2000	2/28/2000	12/2/96	\$ 259,087			\$2,060	N/A	\$ 2,898.00		
111	3/22/00	2/24/2000	2/28/2000		\$294,125	\$18,000		\$1,950	\$550			
112	3/31/00	2/24/2000	2/28/2000	6/18/96	\$ 252,325			\$1,950	\$550	\$ 2,743.00	\$ 736.77	
113	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
114	10/24/01	2/24/2000	2/28/2000	10/27/01	\$ 206,721			\$1,506	N/A	\$ 1,998.00		
115	4/3/00	2/24/2000	2/28/2000		\$301,025	\$18,000		\$1,905	\$550			1/15/05
116	3/30/00	2/24/2000	2/28/2000	7/3/96	\$ 262,575			\$1,950	N/A	\$ 2,743.00		
117	1/31/04	2/24/2000	2/28/2000	3/1/04	\$ 215,600	\$ 18,000		\$1,962	\$637	\$ 2,385.00	\$ 737.10	
118	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
119	9/10/03	2/24/2000	2/28/2000		\$ 312,821		\$174.71	\$2,181	N/A	\$ 2,385.00		
120	5/12/03	2/24/2000	2/28/2000	5/14/03	\$ 445,928			\$2,871	N/A	\$ 3,489.00		
121	4/30/03	2/24/2000	2/28/2000	5/2/03	\$ 319,279		\$ 17,721	\$2,395	N/A	\$ 2,746.00		
122	2/28/06	1/1/2006	12/20/2005	3/8/06	\$ 680,900			\$4,360	\$1,050	\$ 4,578.00	\$ 1,050.00	
123	same	1/1/2006	12/20/2005	same	same			same	same	same	same	
124	2/26/02	2/24/2000	2/28/2000		\$ 220,356	\$ 18,000		\$1,961	\$618	\$ 2,455.00		
125	12/30/05	2/24/2000	2/28/2000	3/27/06	\$ 281,900			\$2,450	N/A	\$ 2,663.00		
126	3/31/06	1/1/2006	12/20/2005	5/3/06	\$ 360,600			\$2,536	N/A	\$ 2,663.00		

No.	(a)/(c) Date DSS Approved CCRA Signed or Rental Agreement Signed	(b) Version of CCRA Signed or Version of Rental Agreement Signed	(d) Date of CCRA Approval by DSS	(e) Physical Move-In Date	(f) Total Entrance Fee Paid			(g) Initial Monthly Fees		(h) Current Monthly Fees (as of 2/07)		(i) Financial Termination Date
					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
127	10/26/01	2/24/2000	2/28/2000		\$ 278,546	\$ 18,000		\$2,069	\$583	\$ 2,743.00		
128	9/14/01	2/24/2000	2/28/2000	10/2/01	\$ 545,128			\$ 3,392		\$ 4,501.00		
129	4/15/02	2/24/2000	2/28/2000	6/25/02	\$ 195,788	\$ 18,000		\$ 1,961	\$ 618	\$ 2,455.00	\$ 736.77	
130	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
131	8/24/06	1/1/2006	12/20/2005	8/24/06	\$ 558,900	\$ 25,000		\$ 3,190	\$ 1,050	\$ 3,350.00	\$ 1,050.00	
132	same	1/1/2006	12/20/2005	same	same			same	same	same	same	
133	3/13/03	2/24/2000	2/28/2000	3/14/03	\$ 308,141			\$ 2,020		\$ 2,455.00		
134	1/31/04	2/24/2000	2/28/2000	2/25/04	\$ 232,086	\$ 18,000	\$ 3,152	\$ 2,140	\$ 675		\$ 737.10	
135	same	2/24/2000	2/28/2000	same	same	same	same	same	same	\$ 2,454.00		
136	5/19/98	4/28/1998	N/A	5/30/97				\$ 6,050	\$ 650			6/1/99
137	same	same	N/A	same				same	same			same
138	3/30/00	2/24/2000	2/28/2000		\$386,400	\$550						
139	2/25/02	2/24/2000	2/28/2000	2/25/02	\$ 238,620	\$ 18,000		\$ 1,961	\$ 618	\$ 2,455.00		
140	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same		
141	3/29/00	2/24/2000	2/28/2000	11/4/97	\$ 411,000			\$ 2,480	\$ 550	\$ 3,488.00		
142	same	2/24/2000	2/28/2000	11/4/97	same			same	same		\$ 736.77	
143	3/22/00	2/24/2000	2/28/2000	1/25/00	\$ 525,375			\$ 2,480	\$ 550	\$ 3,488.00		
144	same	2/24/2000	2/28/2000	same	same			same	same		\$ 736.77	
145	3/31/00	2/24/2000	2/28/2000	9/28/98	\$ 451,850			\$ 2,705		\$ 3,805.00		
146	4/25/01	2/24/2000	2/28/2000	4/25/01	\$ 359,022	\$ 18,000		\$ 2,248	\$ 583	\$ 2,898.00		
147	4/25/01	2/24/2000	2/28/2000		same	same					\$ 736.77	
148	3/31/00	2/24/2000	2/28/2000	3/30/00	\$ 582,000			\$ 2,885	\$ 550	\$ 4,058.00		
149	same	2/24/2000	2/28/2000	same	\$ 582,000			same	same			
150	8/10/00	4/28/1998	N/A		\$ 270,575			\$ 2,500	\$ 650	\$ 2,060.00	550	
151	same	2/24/200	2/28/2000		same			same	same	same	same	
152	3/27/01	2/24/2000	2/28/2000		\$ 316,076			\$ 2,067				6/29/05
153	1/5/98	4/28/1998	N/A	4/26/02				\$ 2,400				6/24/98
154	7/24/04	2/24/2000	2/28/2000	8/5/04	\$ 317,500			\$ 1,905		\$ 2,184.00		
155	1/31/03	2/24/2000	2/28/2000	1/31/03	\$ 287,410			\$ 1,961		\$ 2,455.00		
156	5/5/00	2/24/2000	2/28/2000	5/12/00	\$ 312,800	\$ 18,000		\$ 1,950	\$ 550			
157	same	2/24/2000	2/28/2000	same	same	same		same	same			
158	1/16/02	2/24/2000	2/28/2000	2/12/02	\$ 392,548			\$ 2,465				

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
159	4/28/00	2/24/2000	2/28/2000		\$ 240,500	\$ 18,000		\$ 1,745	\$ 550		\$ 736.77	
160	same	2/24/2000	2/28/2000	same	same	same		same	same	\$ 2,883.00		
161	4/30/02	2/24/2000	2/28/2000	5/22/02	\$ 228,207			\$ 1,961		\$ 2,455.00		
162	3/30/00	2/24/2000	2/28/2000	3/15/99	\$ 291,350			\$ 1,950		\$ 2,743.00		
163	4/5/01	2/24/2000	2/28/2000	4/5/01	\$ 351,566			\$ 2,067	\$ 583		\$ 736.77	
164	same	2/24/2000	2/28/2000	same	same			same	same	\$ 2,743.00		
165								\$ 1,975				6/30/97
166								same				6/30/97
167	3/27/00	2/24/2000	2/28/2000		\$ 449,200			\$ 2,885	\$ 550	\$ 4,058.00		
168	same	2/24/2000	2/28/2000	same	same			same	same			
169	3/21/00	2/24/2000	2/28/2000		\$ 246,325	\$ 18,000		\$ 1,950	\$ 550	\$ 2,743.00		
170	same	2/24/2000	2/28/2000	same	same	same		same	same			4/2/001
171	1/15/01	2/24/2000	2/28/2000	1/30/01	\$ 323,663			\$ 2,120	\$ 550	\$ 2,982.00		
172	same	2/24/2000	2/28/2000	same	same			same	same			12/00/06
173	5/19/98	4/28/1998	N/A		\$ 114,778			\$ 1,904				10/29/99
174	5/20/98	4/28/1998	N/A					\$ 2,250				5/12/99
175	1/8/01	2/24/2000	2/28/2000		\$ 246,247	\$ 18,000		\$ 1,505	\$ 583			
176	same	2/24/2000	2/28/2000	same	same	same	same	same	same			
177	4/14/00	2/24/2000	2/28/2000	10/21/96	\$ 392,800	\$ 18,000		\$ 2,885	\$ 550	\$ 4,058.00		
178	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same		
179	12/11/02	2/24/2000	2/28/2000	12/11/02	\$ 238,450			\$ 1,905		\$ 2,385.00		
180	7/22/04	2/24/2000	2/28/2000	8/3/04	\$ 344,800			\$ 2,680		\$ 3,004.00		
181	10/6/00	2/24/2000	2/28/2000		\$ 562,900			\$ 2,885				11/1/04
182	9/24/01	2/24/2000	2/28/2000	9/24/01	\$ 229,500			\$ 1,797		\$ 2,385.00		
183	6/26/98	6/21/1998	N/A	6/26/98				\$ 2,640	\$ 650			3/1/99
184	same	same	N/A	same	same			same	same			3/1/99
185	12/22/01	2/24/2000	2/28/2000	12/27/01	\$ 478,166			\$ 2,465		\$ 3,271.00		
186	12/11/02	2/24/2000	2/28/2000		\$ 317,838			\$ 2,191	\$ 618			
187	same	2/24/2000	2/28/2000	same	same			same	same			
188	5/8/00	2/24/2000	2/28/2000	7/1/96	\$ 133,475			\$ 1,875				
189	4/28/00	2/24/2000	2/28/2000	5/5/99	\$ 305,375			\$ 1,950		\$ 2,743.00		
190	5/19/03	2/24/2000	2/28/2000	7/16/03	\$ 236,442		\$105,097	\$ 2,454		\$ 2,983.00		

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
191	4/30/00	2/24/2000	2/28/2000	1/11/00	\$ 211,575			\$ 1,745		\$ 2,455.00		
192	7/21/00	2/24/2000	2/28/2000		\$ 455,100			\$ 2,705	\$ 550	\$ 3,805.00	\$ 736.77	
193	same	2/24/2000	2/28/2000		same			same	same	same	same	
194	7/24/01 & 5/29/03	2/24/2000	2/28/2000	7/27/01	\$ 295,864		\$ 64,136	\$ 2,067	\$ 583	\$ 3,206.00	\$ 737.32	
195	same	2/24/2000	2/28/2000	same	same		same	same	same	same	same	
196	4/30/03	2/24/2000	2/28/2000	5/7/03	\$ 241,448			\$ 2,181	N/A			
197	12/26/03	2/24/2000	2/28/2000	1/7/04	\$ 269,729			\$ 2,020	N/A	\$ 2,455.00		
198	4/20/05	2/24/2000	2/28/2000	3/1/06	\$ 525,200		\$120,400	\$ 3,050	N/A	\$ 3,315.00		
199	3/21/02	2/24/2000	2/28/2000		\$ 318,176	\$ 18,000		\$ 2,303	\$ 618			1/8/05
200	same	2/24/2000	2/28/2000	same	same	same		same	same			1/8/05
201	7/18/00	2/24/2000	2/28/2000	7/6/96	\$ 271,375			\$ 2,060	\$ 550	\$ 2,898.00		
202	same	2/24/2000	2/28/2000	same	same			same	same		\$ 736.77	
203	9/4/04	2/24/2000	2/28/2000	9/8/04	\$ 370,000			\$ 2,530		\$ 2,901.00		
204	5/18/98	4/28/1998	N/A					\$ 2,450	\$ 650			
205	same	same	N/A	same				same	same			
206	10/24/00	2/24/2000	2/28/2000	2/26/01	\$ 344,558	\$ 18,000		\$ 1,950	\$ 550	\$ 2,743.00		
207	same	2/24/2000	2/28/2000	same	same	same		same	same			4/29/06
208	3/20/00	2/24/2000	2/28/2000	3/3/00	\$ 300,550			\$ 1,950		\$ 2,743.00		
209	3/30/03	2/24/2000	2/28/2000	4/30/03	\$ 225,577	\$ 18,000	\$ 56,401	\$ 2,020	\$ 636	\$ 2,455.00	\$ 737.32	
210	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
211	7/1/06	1/1/2006	12/20/2005	6/30/06	\$ 649,300			\$ 3,140	\$ 1,050		\$ 1,050.00	
212	same	1/1/2006	12/20/2005	same	same			same	same	\$ 3,297.00		
213	5/18/98	4/28/1998	N/A					\$ 2,443	\$ 450			
214	4/20/00	2/24/2000	2/28/2000		\$ 307,350			\$ 1,950				7/2/05
215	6/28/06	1/1/2006	12/20/2005	6/28/06	\$ 335,000			\$ 2,580		\$ 2,709.00		
216	4/28/00	2/24/2000	2/28/2000	7/15/96	\$ 390,800			\$ 2,865		\$ 4,058.00		
217	5/18/98	4/28/1998	N/A					\$ 2,300	\$ 650			9/12/98
218	same	same	N/A	same	same			same	same			9/12/98
219	3/31/00	2/24/2000	2/28/2000	8/9/99	\$ 398,550			\$ 2,120		\$ 2,982.00		
220	3/20/00	2/24/2000	2/28/2000	9/2/07	\$ 264,075			\$ 1,745		\$ 2,455.00		
221	4/20/00	2/24/2000	2/28/2000		\$ 537,425			\$ 2,480	\$ 550			
222	same	2/24/2000	2/28/2000	same	same			same	same			

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
223											\$ 736.77	
224						\$ 18,000				\$ 3,488.00		
225	4/14/00	2/24/2000	2/28/2000		\$ 364,425			\$ 2,060				
226	3/31/00	2/24/2000	2/28/2000	5/29/97	\$ 176,700			\$ 1,540		\$ 1,997.00		
227	5/18/98	4/28/1998	N/A	same								5/19/99
228	4/18/00	2/24/2000	2/28/2000	10/7/96	\$ 382,800			\$ 2,885		\$ 4,058.00		
229												1/8/97
230	5/19/98	4/28/1998	N/A		\$ 415,450			\$ 2,950	\$ 600			8/19/99
231	same	same	N/A	same	same			same	same			same
232	5/30/00	2/24/2000	2/28/2000		\$ 313,100			\$ 1,950				5/4/06
233	3/30/00	2/24/2000	2/28/2000	12/1/97	\$ 217,900			\$ 1,950		\$ 2,743.00		
234	4/28/98	2/24/2000	2/28/2000	5/20/99	\$ 352,050			\$ 2,945	\$ 600		\$ 736.77	
235	same	2/24/2000	2/28/2000	same	same			same	same	\$ 2,898.00		
236	3/28/00	2/24/2000	2/28/2000	9/21/99	\$ 444,175			\$ 3,885	\$ 600	\$ 3,805.00	\$ 736.77	
237	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
238	4/19/00	2/24/2000	2/28/2000		\$ 180,750			\$ 1,995	N/A			
239	3/30/06	1/1/2005	12/20/2005	3/30/06	\$ 598,800	\$ 25,000		\$ 3,210	\$ 1,050	\$ 3,371.00	\$ 1,050.00	
240	same	1/1/2005	12/20/2005	same	same	same		same	same	same	same	
241	3/24/00	2/24/2000	2/28/2000		\$ 542,750			\$ 5,920	\$ 650			
242	same	2/24/2000	2/28/2000	same	same			same	same			12/15/05
243	3/9/01	2/24/2000	2/28/2000	3/9/01	\$ 566,965			\$ 3,355	\$ 583			
244	same	2/24/2000	2/28/2000	same	same			same	same			
245	6/9/04	2/24/2000	2/28/2000	6/11/04	\$ 432,000	\$ 25,000		\$ 3,540	\$ 936	\$ 4,059.00	\$ 774.00	
246	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
247	12/30/03	2/24/2000	2/28/2000	2/12/04	\$ 236,442	\$ 18,000		\$ 2,020	\$ 637	\$ 2,454.00	\$ 737.10	
248	same	2/24/2000	2/28/2000		same	same		same	same	same	same	
249	9/30/05	Jul-05	8/1/2005	9/30/05	\$ 580,600			\$ 2,850	N/A	\$ 3,142.00	N/A	
250	9/29/01	2/24/2000	2/28/2000		\$ 296,546	\$ 18,000	\$ 17,989	\$2,067	\$583	\$ 2,983.00		
251	same	2/24/2000	2/28/2000	same	same	same		same	same			
252	5/18/98	4/28/1998	N/A					\$2,500	N/A			
253	5/29/01	2/24/2000	2/28/2000	5/30/01	\$ 323,269	\$ 18,000		\$2,057	\$583	\$ 2,454.00		
254	same	2/24/2000	2/28/2000	same	same	same		same	same			

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
255	3/5/02	2/24/2000	2/28/2000		\$ 235,238			\$ 1,961				7/2/2005
256	12/28/05	1/1/2006	12/20/2005	2/206	\$ 611,500			\$3,350	\$1,000	\$ 3,693.00		
257	same	1/1/2006	12/20/2005	same	same			same	same		\$ 1,050.00	
258	7/21/00	2/24/2000	2/28/2000		\$ 406,400			\$ 2,885				
259	8/29/04	2/24/2000	2/28/2000	9/3/04	\$ 299,828			\$2,620	N/A	\$ 3,004.00		
260	1/14/04	2/24/2000	2/28/2000	1/20/05	\$ 252,800	\$ 25,000		\$2,530	\$936	\$ 2,789.00		
261	same	2/24/2000	2/28/2000	same	same	same		same	same		\$ 982.80	
262	5/20/98	4/28/1998	N/A					\$2,256	N/A			
263	4/27/06	1/1/2006	12/20/2005	4/27/06	\$ 610,100			\$3,000	\$1,050	\$ 3,150.00		
264	3/20/00	2/24/2000	2/28/2000		\$ 318,750			\$ 2,625				
265	5/18/98	4/28/1998	N/A									
266	9/22/00	2/24/2000	2/28/2000		\$337,000			\$1,950	N/A			
267	7/31/00	2/24/2000	2/28/2000		\$ 254,875			\$1,745	N/A	\$ 2,455.00		
268	3/30/00	2/24/2000	2/28/2000	6/24/96	\$ 515,475			\$2,885	\$550	\$ 4,058.00		
269	same	2/24/2000	2/28/2000	same	same			same	same			
270	8/30/00	2/24/2000	2/28/2000		\$384,850			\$1,950	N/A			
271	4/6/00	2/24/2000	2/28/2000	7/26/96	\$ 250,325			\$1,950	N/A	\$ 2,743.00		
272	2/13/03	2/24/2000	2/28/2000	4/17/03	\$ 232,086		\$ 63,778	\$2,257	N/A	\$ 2,743.00		
273	5/28/00	2/24/2000	2/28/2000		\$411,925			\$2,120	N/A			
274	3/21/00	2/24/2000	2/28/2000		\$262,425			\$1,745	N/A			
275	3/31/00	2/24/2000	2/28/2000		\$ 365,675	\$ 18,000		\$2,325	\$550		\$ 736.77	
276	same	2/24/2000	2/28/2000	same	same	same		same	same	\$ 3,270.00		same
277	11/16/00	2/24/2000	2/28/2000		\$ 262,400			\$1,745	N/A	\$ 2,455.00		
278	5/23/00	2/24/2000	2/28/2000		\$ 321,700			\$1,950	N/A	\$ 2,743.00		
279	3/30/00	2/24/2000	2/28/2000		\$259,900			\$1,950	N/A			
280	6/23/00	2/24/2000	2/28/2000		\$ 282,875	\$ 18,000	\$ 5,000	\$1,985	\$550		\$ 737.77	
281	same	2/24/2000	2/28/2000	same	same	same	same	same	same	\$ 2,743.00		same
282	1/4/03	2/24/2000	2/28/2000		\$ 270,825			\$ 1,905	N/A		N/A	10/31/05
283	4/30/03	2/24/2000	2/28/2000		\$ 520,000	\$ 18,000	\$375,611	\$ 3,040	\$ 637		N/A	
284	same	2/24/2000	2/28/2000	same	same	same	same	same	same		N/A	2/16/05
285	3/31/00	2/24/2000	2/28/2000	1/19/00	\$ 309,400	\$ 18,000		\$ 2,840	\$ 600	\$ 2,743.00	\$ 736.77	
286	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
287	6/16/00	2/24/2000	2/28/2000		\$ 479,850			\$ 2,325	\$ 550		N/A	
288	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
289	3/27/00	2/24/2000	2/28/2000	10/22/99	\$ 303,175	\$ 18,000		\$ 2,840	\$ 600	\$ 2,743.00		
290	same	2/24/2000	2/28/2000	same	same	same		same	same			
291	6/22/00	2/24/2000	2/28/2000	6/22/00	\$ 309,575			\$ 1,950	N/A	\$ 2,743.00		
292	4/7/00	2/24/2000	2/28/2000		\$ 312,325			\$ 1,950				
293	4/14/00	2/24/2000	2/28/2000	7/3/96	\$ 245,275			\$ 2,200	N/A	\$ 2,743.00		
294	5/15/98	4/28/1998	N/A					\$ 2,450	\$ 650			
295	same	same	N/A	same	same	same		same	same			
296	4/30/01	2/24/2000	2/28/2000		\$ 234,443			\$ 1,850	N/A			5/31/06
297	11/14/04	2/24/2000	2/28/2000	11/29/04	\$ 457,500	\$ 25,000		\$ 2,665	\$ 936	\$ 3,044.00	\$ 1,021.65	
298	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
299	4/8/05	2/24/2000	2/28/2000	5/18/05	\$ 319,800			\$ 2,550	N/A	\$ 2,811.00		
300	4/13/00	2/24/2000	2/28/2000	6/1/99	\$ 218,000			\$ 2,340	N/A	\$ 2,384.00		
301	3/7/02	2/24/2000	2/28/2000	3/7/02	\$ 270,800			\$ 1,905	N/A	\$ 2,385.00		
302	5/21/98	4/28/1998	N/A	5/1/97				\$ 1,941	N/A			5/7/99
303	12/31/03	2/24/2000	2/28/2000	3/22/04	\$ 374,798	\$ 18,000	\$108,932	\$ 2,257	\$ 637	\$ 2,732.00		
304	same	same	2/28/2000	same	same	same	same	same	same			
305	3/30/00	2/24/2000	2/28/2000	9/1/99	\$ 465,250			\$ 4,125	\$ 600	\$ 4,037.00	\$ 736.77	
306	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
307	11/1/05	Jul-05	8/1/2005	11/17/05	\$ 327,300	\$ 25,000		\$ 2,550	\$ 1,000	\$ 2,811.00		
308	same	Jul-05	8/1/2005	same	same	same		same	same			
309	4/13/00	2/24/2000	2/28/2000	4/13/00	\$ 200,675			\$ 2,475	\$ 650	\$ 2,110.00		
310	6/5/06	1/1/2006	12/20/2005	6/14/06	\$1,054,400			\$ 4,720	N/A	\$ 4,956.00		
311	1/28/03	2/24/2000	2/28/2000		\$ 223,399	\$ 18,000	\$107,666	\$ 1,961	\$ 618	\$ 2,746.00	\$ 1,050.00	
312	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
313	3/24/06	2/24/00	2/28/2000									
314	3/29/00	2/24/2000	2/28/2000	7/27/99	\$ 330,700			\$ 2,555	N/A	\$ 2,637.00		
315	4/25/00	2/24/2000	2/28/2000		\$ 247,900			\$ 2,425	\$ 675			
316	same	2/24/2000	2/28/2000	same	same			same	same			
317	3/24/00	2/24/2000	2/28/2000	8/31/99	\$ 283,925			\$ 2,775	N/A			9/15/05
318	10/17/03	2/24/2000	2/28/2000		\$ 243,771			\$ 2,020	N/A	\$ 2,455.00		

No.	(a)/(c) Date DSS Approved CCRA Signed or Rental Agreement Signed	(b) Version of CCRA Signed or Version of Rental Agreement Signed	(d) Date of CCRA Approval by DSS	(e) Physical Move-In Date	(f) Total Entrance Fee Paid			(g) Initial Monthly Fees		(h) Current Monthly Fees (as of 2/07)		(i) Financial Termination Date
					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
319	7/10/00	2/24/2000	2/28/2000	7/10/00	\$ 227,125			\$ 1,745	N/A			2/3/07
320	7/27/00	2/24/2000	2/28/2000	9/15/00	\$ 316,450	\$ 18,000		\$ 2,060	\$ 550	\$ 2,898.00		
321	same	2/24/2000	2/28/2000	same	same	same		same	same			
322	3/23/00	2/24/2000	2/28/2000	10/31/96	\$ 242,325			\$ 2,433	N/A			
323	3/23/00	2/24/2000	2/28/2000	6/30/96	\$ 275,000	\$ 18,000		\$ 2,445	\$ 650	\$ 2,982.00		
324	same	2/24/2000	2/28/2000	same	same	same		same	same			
325	4/13/00	2/24/2000	2/28/2000		\$ 429,075			\$ 3,707	\$ 650			
326	same	2/24/2000	2/28/2000	same	same			same	same			
327	9/29/05	Jul-05	8/1/2005	9/29/05	\$ 460,000			\$ 2,850	N/A	\$ 3,142.00		
328	8/19/06	1/1/2006	12/20/2005		\$ 411,900			\$ 2,800	N/A	\$ 2,940.00		
329	5/19/98	4/28/1998	N/A					\$ 2,010	N/A			9/30/98
330	7/25/06	1/1/2006	12/20/2005	7/27/06	\$ 470,300			\$ 2,800	N/A	\$ 2,940.00		
331	10/4/06	1/1/2006	12/20/2005	10/4/06	\$ 524,400			\$ 3,140	\$ 1,050	\$ 3,297.00	\$ 1,050.00	
332	10/4/06	1/1/2006	12/20/2005	same	same			same	same	same	same	
333	3/31/06	1/1/2006	12/20/2005	6/22/06	\$ 617,500			\$ 3,520	\$ 1,050	\$ 3,696.00	\$ 1,050.00	
334	same	1/1/2006	12/20/2005	same	same			same	same	same	same	
335	6/27/00	2/24/2000	2/28/2000	6/28/00	\$ 387,075	\$ 18,000		\$ 2,325	\$ 550	\$ 3,270.00		
336	same	2/24/2000	2/28/2000	same	same	same		same	same			
337	4/11/00	2/24/2000	2/28/2000		\$ 395,875			\$ 2,120	\$ 550			
338	same	2/24/2000	2/28/2000	same				same	same			
339	2/17/05	2/24/00	2/28/2000	5/19/05	\$1,222,000			\$ 4,850	N/A	\$ 5,347.00		
340	10/24/06	1/1/2006	12/20/2005	11/3/06	\$ 389,700			\$ 2,260	N/A	\$ 2,373.00		
341	7/19/00	2/24/2000	2/28/2000	8/8/00	\$ 232,050	\$ 18,000	\$129,150	\$ 1,875	\$ 550	\$ 2,762.00	\$ 737.10	
342	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
343	3/26/02	2/24/2000	2/28/2000		\$ 304,530			\$ 2,117	N/A	\$ 2,650.00		
344	8/6/01	2/24/2000	2/28/2000		\$ 232,239	\$ 18,000	\$ 81,107	\$ 1,850	\$ 583	\$ 2,743.00	\$ 736.77	
345	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
346	11/28/01	2/24/2000	2/28/2000		\$ 245,949			\$ 1,850	N/A			11/4/06
347	6/27/00	2/24/2000	2/28/2000		\$ 373,025			\$ 1,950	N/A			
348	3/27/00	2/24/2000	2/28/2000	9/7/99	\$ 431,175			\$ 2,400	N/A	\$ 2,644.00		
349	4/13/00	2/24/2000	2/28/2000	9/9/99	\$ 289,850	\$ 18,000		\$ 2,840	\$ 600	\$ 2,743.00		
350	same	2/24/2000	2/28/2000	same	same	same		same	same			

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
351	4/6/02	2/24/2000	2/28/2000	4/10/02	\$ 225,679			\$ 1,961	N/A	\$ 2,455.00		
352	5/22/98	4/28/98	N/A					\$ 4,028	\$ 650			10/17/98
353	same	same	N/A	same	same			same	same			same
354	5/27/98	4/28/98	N/A					\$ 1,801	N/A			
355	5/21/98	4/28/98	N/A					\$ 2,445	\$ 650			1/12/99
356	5/3/00	2/24/2000	2/28/2000	5/9/00	\$ 197,550		\$ 61,570			\$ 2,454.00		
357	3/14/01	2/24/2000	2/28/2000	4/7/01	\$ 253,098			\$ 1,850	N/A	\$ 2,455.00		
358	12/30/05	Jul-05	8/1/2005	2/1/06	\$ 540,600			\$ 2,900	\$ 1,000	\$ 3,197.00	\$ 1,050.00	
359	same	Jul-05	8/1/2005	same	same			same	same	same	same	
360	8/31/04	2/24/2000	2/28/2000	12/19/04	\$ 399,105	\$ 25,000	\$176,895	\$ 2,850	\$ 936	\$ 4,443.00		
361	same	2/24/2000	2/28/2000	same	same	same	same	same	same			
362	11/29/00	2/24/2000	2/28/2000	11/30/00	\$ 209,966			\$ 1,420		\$ 1,997.00		
363	3/28/03	2/24/2000	2/28/2000	3/28/03	\$ 215,000	\$ 18,000		\$ 2,014	\$ 636	\$ 1,998.00	\$ 736.23	
364	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
365	5/2/01	2/24/2000	2/28/2000		\$ 305,629			\$ 2,105	N/A	\$ 2,455.00		
366	8/5/01	2/24/2000	2/28/2000	4/12/01	\$ 318,176	\$ 18,000	\$164,170	\$ 2,248	\$ 583	\$ 3,806.00	\$ 736.77	
367	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
368	5/4/00	2/24/2000	2/28/2000		\$ 279,000			\$ 2,565	\$ 675			
369	same	2/24/2000	2/28/2000	same	same			same	same			
370	5/19/98	4/28/98	N/A					\$ 2,282	N/A			
371	4/12/00	2/24/2000	2/28/2000		\$ 331,500	\$ 18,000		\$ 1,950	\$ 550	\$ 2,743.00		
372	same	2/24/2000	2/28/2000	same	same	same		same	same	same		
373	7/15/02	2/24/2000	2/28/2000	7/15/02	\$ 220,950			\$ 1,905		\$ 2,385.00		
374	12/31/05	Jul-05	8/1/2005	1/12/05	\$ 342,900			\$ 2,550		\$ 2,814.00		
375	10/30/03	2/24/2000	2/28/2000	11/25/03	\$ 291,769	\$ 18,000		\$ 2,257	\$ 637	\$ 2,743.00		
376	same	2/24/2000	2/28/2000	same	same	same		same	same			
377	3/29/00	2/24/00	2/28/2000		\$ 324,750	\$ 18,000		\$ 2,733	\$ 675			
378	same	2/24/2000	2/28/2000	same	same			same	same			9/25/05
379	5/18/98	4/28/98	N/A					\$ 2,168	\$ 650			9/22/98
380	same	same	N/A	same	same			same	same			same
381	11/5/01	2/24/2000	2/28/2000	11/26/01	\$ 214,675			\$ 1,797		\$ 2,385.00		
382	6/29/00	2/24/2000	2/28/2000		\$ 241,570			\$ 1,745				

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
383	3/27/00	2/24/2000	2/28/2000	6/27/96	\$ 303,600	\$ 18,000		\$ 2,270	\$ 650	\$ 2,743.00		
384	same	same	2/28/2000	same	same	same		same	same			
385	3/15/02	2/24/2000	2/28/2000	3/15/02	\$ 320,466			\$ 1,961		\$ 2,455.00		
386	4/14/00	2/24/2000	2/28/2000		\$ 374,100			\$ 3,037	\$ 675			
387	same	2/24/2000	2/28/2000	same	same			same	same			
388	2/28/05	2/24/2000	2/28/2000	4/6/05	\$ 518,000			\$ 2,950	\$ 1,000	\$ 3,252.00	\$ 1,050.00	
389	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
390	4/24/00	2/24/2000	2/28/2000	9/10/99	\$ 294,600			\$ 2,340				
391	4/12/00	2/24/2000	2/28/2000	8/19/1996	\$ 400,800			\$ 2,013	\$ 475	\$ 4,058.00	\$ 736.77	
392	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
393	3/28/00	2/24/2000	2/28/2000	11/22/99	\$ 417,100			\$ 3,560	\$ 600	\$ 3,488.00		
394	same	2/24/2000	2/28/2000	same	same			same	same			
395	3/20/00	2/24/2000	2/28/2000	10/19/96	\$ 369,625			\$ 2,700	N/A	\$ 2,898.00		
396	5/26/98	4/28/98	N/A					\$ 2,200	N/A			
397	8/10/01	2/24/2000	2/28/2000	9/25/01	\$ 258,000			\$ 2,840	\$ 600	\$ 2,455.00		
398	same	same	2/28/2000	same	same			same	same			
399	5/21/98	4/28/98	N/A					\$ 2,625	N/A			11/3/98
400	3/31/00	2/24/2000	2/28/2000	11/30/98	\$285,785	\$18,000		\$ 3,725	\$ 650	\$2,743.00		
401	same	same	2/28/2000	same	same	same		same	same			
402	9/28/06	1/1/2006	12/20/2005	9/28/06	\$ 540,600	\$ 25,000		\$ 3,140	\$ 1,050	\$ 3,297.00	\$ 1,050.00	
403	same	1/1/2006	12/20/2005	same	same	same		same	same	same	same	
404	5/10/00	2/24/2000	2/28/2000	4/15/97	\$ 206,250			\$ 2,470	N/A	\$ 2,455.00		
405	5/21/98	4/28/1998	N/A					\$ 2,934	\$ 650			9/23/98
406	same	same	N/A		same			same	same			same
407	9/25/00	2/24/2000	2/28/2000	9/27/00	\$ 331,800			\$ 1,950	\$ 550	\$ 2,743.00	\$ 736.77	
408	same	same	2/28/2000		same					same	same	
409	4/11/00	2/24/2000	2/28/2000	5/1/98	\$ 267,325			\$ 2,430	N/A			
410	3/30/00	2/24/2000	2/28/2000		\$ 340,925			\$ 2,940	\$ 600			1/8/05
411	5/22/98	4/28/1998	N/A					\$ 2,458	\$ 675			3/2/99
412	same	same	N/A	same	same			same	same			same
413	3/24/00	2/24/2000	2/28/2000	10/9/98	\$ 444,125	\$ 18,000		\$ 3,250	\$ 650	\$ 3,741.00	\$ 736.77	
414	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
415	4/4/00	2/24/2000	2/28/2000	4/5/00	\$ 540,100			\$ 2,885	\$ 550	\$ 4,058.00	\$ 736.77	
416	same	same	2/28/2000		same					same	same	
417	2/15/05	2/24/2000	2/28/2000	2/15/05	\$ 539,500			\$ 2,850	N/A	\$ 3,142.00		
418	3/20/00	2/24/2000	2/28/2000	2/29/00	\$ 270,504	\$ 18,000		\$ 1,950	\$ 550	\$ 2,743.00		
419	same	same	2/28/2000	same	same	same		same	same			
420	3/21/00 & 3/28/00	2/24/2000	2/28/2000	9/13/99	\$ 316,450	\$ 18,000	\$132,950	\$ 2,945	\$ 600	\$ 3,699.00	\$ 736.77	
421	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
422	9/28/00	2/24/2000	2/28/2000	9/28/00	\$ 188,361			\$ 1,420	N/A	\$ 1,997.00		
423	3/18/02	2/24/2000	2/28/2000	5/29/02	\$ 208,389			\$ 1,961	N/A	\$ 2,455.00		
424	10/1/03	2/24/2000	2/28/2000	12/2/03	\$ 520,000	\$ 18,000		\$ 3,040	\$ 637	\$ 3,695.00		
425	same	2/24/2000	2/28/2000	same	same	same		same	same			
426	3/15/02	2/24/2000	2/28/2000		\$ 218,153			\$ 1,961	N/A	\$ 2,455.00		
427	3/5/01	2/24/2000	2/28/2000		\$ 290,810			\$ 2,067	N/A			
428	10/27/00	2/24/2000	2/28/2000	12/11/00	\$ 553,223			\$ 2,430	\$ 550	\$ 3,488.00		
429	same	2/24/2000	2/28/2000	same	same			same	same			
430	3/28/00	2/24/2000	2/28/2000		\$ 229,950	\$ 18,000		\$ 1,875	\$ 550			
431	same	2/24/2000	2/28/2000	same	same	same		same	same			
432	11/14/02 & 3/7/03	2/24/2000	2/28/2000		\$ 246,513		\$ 76,073	\$ 1,961	N/A	\$ 2,743.00		
433	4/30/03 & 7/15/03	2/24/2000	2/28/2000		\$ 399,230	\$ 18,000		\$ 2,691	\$ 637	\$ 3,085.00	\$ 737.32	
434	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
435	3/28/00	2/24/2000	2/28/2000	Jun-96	\$ 167,825			\$ 2,300		\$ 2,455.00		
436	same	2/24/2000	2/28/2000		same							
437	4/26/00	2/24/2000	2/28/2000		\$ 427,075			\$ 3,316	\$ 650			8/15/05
438	same	same	2/28/2000	same	same			same	same			
439	5/20/98	4/28/1998	N/A					\$ 2,562	N/A			
440	1/31/04	2/24/2000	2/28/2000	2/24/04	\$ 528,004	\$ 18,000		\$ 3,704	\$ 637	\$ 4,500.00	\$ 737.10	
441	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	
442	6/19/00	2/24/2000	2/28/2000		\$ 210,525			\$ 1,745	\$ 550			
443	same	2/24/2000	2/28/2000	same	same			same	same			
444	9/23/05	Jul-05	8/1/2005	9/23/05	\$ 406,800	\$ 25,000		\$ 2,550	\$ 1,000	\$ 2,811.00	\$ 1,050.00	
445	same	Jul-05	8/1/2005	same	same	same		same	same	same	same	
446	12/10/03	2/24/2000	2/28/2000	3/2/04	\$ 592,776			\$ 3,318	\$ 675	\$ 3,807.00	\$ 737.10	

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					1st res.	2nd res.	Unit chg.	1st res.	2nd res.	1st res.	2nd res.	
447	same	2/24/2000	2/28/2000		same			same	same	same	same	
448	5/1/00	2/24/2000	2/28/2000	7/18/96	\$ 275,375			\$ 2,629	\$ 675	\$ 2,898.00	\$ 736.77	
449	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
450	12/20/06	1/1/2006	12/20/2005	12/20/06	\$ 666,000			\$ 3,240	N/A	\$ 3,402.00		
451	10/31/00	2/24/2000	2/28/2000	10/31/00	\$ 223,075	\$ 18,000		\$ 1,695	\$ 550	\$ 2,384.00		
452	same	2/24/2000	2/28/2000	same	same	same		same	same			
453	3/21/00	2/24/2000	2/28/2000	3/21/00	\$ 323,550			\$ 2,060	\$ 550	\$ 2,743.00	\$ 736.77	
454	same	2/24/2000	2/28/2000	same	same			same	same	same	same	
455	7/1/03	2/24/2000	2/28/2000	6/30/03	\$ 232,086	\$ 18,000	\$ 21,664	\$ 2,020	\$ 637	\$ 2,385.00	\$ 736.77	
456	same	2/24/2000	2/28/2000	same	same	same	same	same	same	same	same	
457	7/30/01	2/24/2000	2/28/2000	9/14/01	\$ 232,086	\$ 18,000		\$ 1,850	\$ 583	\$ 2,455.00	\$ 736.77	
458	same	2/24/2000	2/28/2000	same	same	same		same	same	same	same	

EXHIBIT 4

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

DONALD R. SHORT, individually and)
on behalf of all others similarly)
situated,)

Plaintiffs,)

vs.)

No. GIC877707)

CC-LA JOLLA, Inc., a Delaware)
Corporation, CC-LA JOLLA, L.L.C.,)
a Delaware limited liability)
company, and DOES 1 to 50,)
inclusive,)

Defendants.)

DEPOSITION OF PERSON MOST KNOWLEDGEABLE

GARY SMITH

SAN DIEGO, CALIFORNIA

MAY 8, 2007

KATRINA F. BURLASON
CSR NO. 5898



Fivecoat & With

Certified Shorthand Reporters, Inc.
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San Diego, California 92101-8141
(619) 236-0333

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33:51 1 Q. Okay. Were you aware that CC-La Jolla and
2 company and CCW or CC-LaJolla, LLP have stopped using
3 this master trust agreement?

34:10 4 A. Yeah, I'm aware that around August, 2005, the
5 Master Trust Agreement was no longer used for any
6 residence.

34:19 7 Q. Do you know why that is?

34:22 8 A. It's my understanding that the Master Trust
9 Agreement was put in place initially to provide
10 residents who came into the community with a security
11 interest after they paid their entrance fee in the
12 underlying property. And it was done to provide a
13 higher level of security than they otherwise would have
14 without a master trust relationship. And after the
15 first generation of residents moved in, it was the
16 intention to stop using the Master Trust Agreement as it
17 was determined that it was no longer necessary.

34:59 18 Q. Are you familiar with anything in the Master
19 Trust Agreement that sets forth that intention to stop
20 using it?

35:05 21 A. I'm not aware of anything in the Master Trust
22 Agreement that sets out that intention.

35:12 23 Q. Can you tell us approximately how much money
24 was paid into the master trust while it was in
25 existence?

35:21 1 A. It's my recollection that that number was
2 somewhere in the neighborhood of approximately
3 \$80 million, plus or minus.

35:33 4 Q. In Exhibit 6, which is the 2004-2005
5 Consolidated Financial Statement, there's a reference to
6 a loan document from the master trust.

35:44 7 Are you familiar with that loan document?

35:46 8 MR. ACKER: And there's a couple references.
9 If you could tell him exactly which one you're referring
10 to, that would be helpful.

35:56 11 BY MR. CONGER:

35:56 12 Q. The loan from the master trust.

35:59 13 Was there more than one loan document from the
14 master trust, Mr. Smith?

36:04 15 MR. ACKER: Well, the word "loan" is referenced
16 more than one time in those paragraphs. So if you're
17 going to reference the paragraph, you should tell him
18 which one you're referring to.

36:11 19 BY MR. CONGER:

36:12 20 Q. Well, for example, four lines down from the top
21 in this note No. 4 it says the terms of the loan
22 agreement. Do you have an understanding as to what that
23 loan agreement is?

36:26 24 A. I'm aware of the loan agreement that is part of
25 the Master Trust Agreement.

38:15 1 A. I don't know.

38:16 2 Q. I'm going to hand you Exhibit 8 and ask you if
3 you can identify what that document is.

39:15 4 A. This is a copy of the loan agreement that we've
5 been referring to.

39:17 6 (Plaintiffs' Exhibit 8 was marked for
7 identification.)

39:18 8 BY MR. CONGER:

39:19 9 Q. How much money was borrowed pursuant to this
10 loan agreement, if you know?

39:23 11 A. I believe it was the answer I previously gave:
12 Somewhere in the neighborhood of approximately
13 \$80 million.

39:28 14 Q. Right. That was -- I asked you how much money
15 was paid into the trust, and you answered \$80 million;
16 correct?

39:34 17 A. I answered my recollection is that it was
18 approximately \$80 million, plus or minus.

39:39 19 Q. All the money that's gone into the trust has
20 been borrowed out of the trust; is that your
21 understanding?

39:44 22 A. That is how it was set up was that all the
23 money that was paid into the master trust would
24 immediately get loaned to CCW.

39:53 25 Q. Do you have any understanding one way or the

52:29 1 MR. ACKER: Yeah, I'll get it.

52:42 2 Page 10.

52:49 3 THE WITNESS: Would that be Bates stamped 852?

52:50 4 BY MR. CONGER:

52:52 5 Q. Yes, sir.

52:52 6 The last paragraph, three lines from the top,
7 the sentence reads, "Once entrance fees have been
8 deposited with the Trustee of the Master Trust and then
9 loaned to the company, the funds are used primarily for
10 original acquisition indebtedness, capital acquisitions,
11 operating deficits, and cash distributions to members."

53:16 12 What does that last part mean, "cash
13 distributions to members"?

53:21 14 A. Correct. So I think in my answer I refer to
15 the original acquisition indebtedness, the capital
16 acquisitions, the operating deficits. Cash
17 distributions to members includes -- in 2004, there was
18 approximately \$2 million of distributions out of CCW La
19 Jolla to CC-La Jolla, Inc. And then those proceeds were
20 then distributed up to the parent company of CC-La
21 Jolla, Inc., which is CC Development Group, Inc. That
22 was in 2004. And then in 2000 -- And that's -- If you
23 refer to Page 4, Bates stamp 846, you'll see the third
24 line down from the top says, Distributions to parents,
25 net is \$2,104,394. And then if you go down an

1 additional one, two, three, four lines, you'll see, that
2 the next year, that there were contributions from
3 parents of \$4,979,000. The money then went back in the
4 next year, showing a balance at December 31st, 2005, of
5 \$54,523,928, which represents the contributions into the
6 entity since inception.

55:00 7 Q. Okay. Did the 4,900,000 and change -- That was
8 paid back in because money had to go back through the
9 trust to be disbursed to residents? Is that what that
10 money was for?

55:15 11 A. I don't recall specifically what the purpose
12 was. But there were cash needs at the CCW level, and so
13 the parent company made those contributions, as it had
14 in many prior years, and resulting in a net cumulative
15 amount of 54.5 million that has been contributed in --
16 which is what I referred to before, which is on top of
17 the approximately \$80 million that came in in entrance
18 fees.

55:46 19 Q. All right. So let me see if I understand that.
20 There's \$80 million, approximately, that went into the
21 master trust and then was borrowed out by CC-La Jolla,
22 Inc.

55:57 23 A. By CCW.

55:58 24 Q. By CCW, approximately \$80 million.

56:01 25 And the terms of that loan, which is one of our

1 exhibits here, was 50 years at 0 percent interest;
2 correct?

56:11 3 A. Well, it was 0 percent interest. And I believe
4 that the loan -- the repayment of the loan was required
5 to be no further than 50 years later.

56:24 6 Q. In the loan agreement itself, which is Exhibit
7 8, on Page 2, Paragraph 2.2, two lines down, it says
8 that the note shall be -- the interest rate on the
9 outstanding principal balance of the note shall be
10 0 percent per annum; correct?

57:07 11 A. Yes.

57:07 12 Q. Do you have any understanding as to what the
13 present outstanding balance on the note is?

57:14 14 A. You could find that by looking at the financial
15 statements that we've been referring to. We disclosed
16 the outstanding balance at the end of each year in the
17 financial statements.

57:23 18 Q. Why don't we take a look at Exhibit 9 or 10 --
19 Those are the most recent financial statements, I
20 believe -- and ask if you could -- Would it be easier to
21 look at the Inc. or the LLC's financial statements?

57:38 22 A. We could look at either, but why don't we look
23 at CCW?

57:41 24 Q. Okay. And then in reference to this document,
25 if you could take me to a page -- probably Page 4? Is

1 would be a long way to go for that to turn profitable.

8:43 2 Q. The profit that's being made by the owners of
3 the operation is hidden in these financial statements,
4 isn't it?

8:49 5 MR. ACKER: Objection, vague, argumentative.

8:55 6 You can answer if you understand.

8:57 7 THE WITNESS: Well, I don't agree with your
8 assertion that the profit is hidden within the financial
9 statements. What we talked about previously is that the
10 owners of the community have contributed capital of
11 \$54.4 million into the community since inception. And
12 for its other CCRC communities, the general expectation
13 is that the contributed capital gets totally returned to
14 the owners within the time frame that this community has
15 been existing.

8:40 16 BY MR. CONGER:

8:41 17 Q. Has the 6 percent management fee, to your
18 knowledge, ever been bid out to anyone else to see if
19 they would do it for 5 percent?

8:51 20 A. No, I'm not aware of it ever having been bid
21 out to see if anyone would do it for 5 percent. If they
22 did, it wouldn't be a Classic Residence by Hyatt
23 community.

8:03 24 Q. You mentioned that it's not the intent of the
25 owners to raise the monthly fees to also raise the

1 amount that they get in management fees; isn't that what
2 you testified to?

0:16 3 A. Yes.

0:17 4 Q. Have they ever considered keeping the
5 management fee at the same dollar amount as the previous
6 year so as to mitigate the impact of the monthly fee
7 increase? Have you ever heard a discussion about that?

0:27 8 A. No.

0:28 9 Q. So it's not their intent but they're happy to
10 get the additional 6 percent increase; is that correct?

0:36 11 MR. ACKER: Objection, argumentative.

0:38 12 You can answer if you know if anybody's happy
13 to get the increase. That's his question.

0:44 14 THE WITNESS: I am not aware of any particular
15 person being happy to get an increase in the management
16 fee.

0:50 17 BY MR. CONGER:

0:50 18 Q. How many residents were told that they would
19 never be charged for any operating expenses or losses of
20 the care center in their monthly fees? How many of the
21 300 or so out there were told that?

1:01 22 MR. ACKER: Objection, assumes facts, calls for
23 speculation.

1:05 24 You can answer.

1:06 25 THE WITNESS: I'm not aware of any specific

EXHIBIT 5

CLASSIC
RESIDENCE

ATTACHMENT E

BY
HYATT[®]
AT LA JOLLA VILLAGE

Semi-Annual Provider Meeting

November 28, 2006

Monthly Fees

- Pursuant to Resident Agreement, monthly fees are intended to cover all operating expenses of the community including:
 - Costs to provide all services and amenities for all residents of the Independent Living and the Care Center
 - Costs of employee expenses
 - Costs of insurance policies
 - Costs of marketing
 - Costs of maintenance, repairs, and replacements of capital items (Furniture, Fixtures & Equipment reserve of 4%)
 - Management fees of 6%

Resident Questions-Cont'd

- Q10) How much of the total unit purchase price went into reinsuring for future Care Center needs? What income has been generated from that source?
- A10) The Company annually calculates the present value of the estimated net cost of future services and the use of facilities to be provided to current residents to ensure any financial service obligation is recognized. No community income is recognized from entrance fees as this is utilized for capital expenditures, interest expense, any financial service obligations, and profit.

EXHIBIT 6

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

DONALD R. SHORT, individually and)
on behalf of all others similarly)
situated,)

Plaintiffs,)

vs.)

No. GIC877707)

CC-LA JOLLA, Inc., a Delaware)
Corporation, CC-LA JOLLA, L.L.C.,)
a Delaware limited liability)
company, and DOES 1 to 50,)
inclusive,)

Defendants.)

DEPOSITION OF PERSON MOST KNOWLEDGEABLE

KELLY PARKINS AGUIRRE

DEL MAR, CALIFORNIA

AUGUST 23, 2007

KATRINA F. BURLASON
CSR NO. 5898



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1 of my recollection, there were some residents that were
2 frustrated with the designs and the colors and -- and
3 many of our residents, when they get upset, they get
4 very verbal.

11:44:15 5 Q. You understand in the Marketing Department that
6 the residents that are moved in are very often paying a
7 substantial part of their life savings to pay the
8 entrance fee; correct?

11:44:26 9 MR. ACKER: Objection, vague.

11:44:27 10 THE WITNESS: We have a financial application
11 process that every resident goes through.

11:44:31 12 BY MR. CONGER:

11:44:32 13 Q. Well, you've read all the marketing materials,
14 haven't you?

11:44:35 15 A. Yes, I've read all the marketing materials.

11:44:38 16 Q. And are you aware of any of the marketing
17 materials that acknowledge that Classic Residence by
18 Hyatt knows that most residents use all or a portion of
19 the proceeds from the sale of their home to pay for the
20 entrance fee? Are you aware of that?

11:44:56 21 A. Am I aware that our residents use all or some
22 or most of the proceeds from the sale of their home?

11:45:02 23 Q. Yes, ma'am.

11:45:03 24 A. I'm aware that quite a few of our residents use
25 the proceeds from the sale of their home and they have

1 additional assets. That's one portion of their assets
2 that they utilize to pay for the entrance fee.

11:45:14 3 Q. In part of the application process, residents
4 actually have to disclose all of their assets; correct?

11:45:21 5 A. The residents have to disclose enough assets to
6 be able to move into the community, yes.

11:45:26 7 Q. And they have to disclose all their monthly
8 income; correct?

11:45:29 9 A. They have to provide us with a tax return that
10 shows monthly income.

11:45:33 11 Q. So going -- When residents move in, Hyatt, your
12 employer, understands the financial position of many of
13 the residents; true?

11:45:45 14 A. That is correct.

11:45:45 15 Q. I'm going to hand you Exhibit 24 and ask you if
16 you can tell us what this is.

11:45:52 17 (Plaintiffs' Exhibit 24 was marked for
18 identification.)

11:46:03 19 THE WITNESS: This is an approval form. Each
20 one of our residents has to go through a physical and an
21 application process before they move into the
22 business -- into the community, so they must be deemed
23 as a qualified resident to move into a continuing care
24 retirement community, just as with any continuing care
25 community, and this is our approval form. We have a

1 different one now, but this is how -- this is an
2 approval form.

11:46:27 3 BY MR. CONGER:

11:46:27 4 Q. On the bottom of this it has, "Comments".
5 Monthly fee as a percentage of total monthly income,"
6 and there's a blank with a percentage sign.

11:46:35 7 Do you see that?

11:46:36 8 A. Yes.

11:46:37 9 Q. Has that been a part of the application form --
10 Was it a part of the application form for a period of
11 years after 2000?

11:46:45 12 A. I don't recall when the form changed. It's
13 just a different form now. But it's the same concept.
14 They still have -- The residents still have to go
15 through a physical and a financial application.

11:46:57 16 Q. Okay. The financial application is what I'm
17 talking about.

11:47:00 18 A. Okay.

11:47:02 19 Q. Who -- Well, strike that.
11:47:04 20 The monthly service fee as a percentage of
21 total monthly income, what do you fill in there?

11:47:10 22 A. We don't fill in anything.

11:47:12 23 Q. Who fills that in?

11:47:14 24 A. The evaluation committee. It would be the
25 resident -- the executive director and director of

1 finance.

11:47:21 2 Q. And that's based on information that the
3 prospect provides?

11:47:24 4 A. Yes, sir.

11:47:24 5 Q. And then the next, "Entrance fee as a
6 percentage of total assets --"

11:47:28 7 A. Again, the same thing.

11:47:30 8 Q. Same thing. Okay.

11:47:31 9 To your knowledge, has Hyatt -- has Classic
10 Residence by Hyatt -- have they compiled this data for
11 all their residents?

11:47:43 12 A. I'm sorry, I'm not sure what you're asking.

11:47:46 13 Q. Of the 227 units that are occupied in the
14 Towers, what's the average percentage of the service fee
15 as total monthly income?

11:47:59 16 A. I have -- I have no way of knowing if they've
17 compiled that information. I'm sorry.

11:48:02 18 Q. Back to Exhibit 23. There's a couple things I
19 want to ask you about here.

11:48:15 20 A. Okay.

11:48:15 21 Q. Under the heading "New Committee," there's a
22 sentence that says, "What benefits to committee members,
23 non-monetary gratification."

11:48:27 24 Do you have any idea what that's talking about?

11:48:31 25 MR. ACKER: He's talking about this sentence.

1 marketing team at Classic Residence by Hyatt in Chicago.

15:26:53 2 BY MR. CONGER:

15:26:53 3 Q. Do they also handle all of the Internet
4 advertising?

15:26:58 5 A. I believe that they do, yes.

15:27:00 6 Q. And when you provided, for example, Exhibit 25
7 to prospective residents, did you expect --

15:27:09 8 Do you need to get that one out?

15:27:13 9 A. Yes.

15:27:14 10 Q. Okay. That's the first marketing brochure.

15:27:17 11 A. Okay.

15:27:18 12 Q. When you provided that first marketing brochure
13 to a prospective resident, did you believe that that
14 prospective resident would read that document?

15:27:30 15 A. Yes.

15:27:30 16 Q. And did you expect that that prospective
17 resident would believe that the statements in the
18 document were true?

15:27:36 19 A. I have no reason to believe otherwise. I have
20 no way to know what they would or wouldn't believe. But
21 I would assume that they believed what they read.

15:27:44 22 Q. Again, let me start to restate because I think
23 we're missing.

15:27:47 24 I'm asking what you expected. When you provide
25 the marketing brochure to a person, you do that with the

1 expectation that hopefully they're going to look at it
2 and read it; correct?

15:27:59 3 A. Yes.

15:27:59 4 Q. And hopefully they will come to believe in the
5 value of the product, as you have, and move in as a
6 resident; correct?

15:28:10 7 A. Yes, that's correct.

15:28:11 8 Q. And you expect, when you give this marketing
9 brochure out, that the reader, this prospect, will
10 believe the statements in that brochure are true;
11 correct? You believe that, that they will believe
12 they're true?

15:28:29 13 A. I believe that they will read them and believe
14 that they're true.

15:28:31 15 Q. And your expectation in trying to get them, as
16 part of your job, to become a resident, is that that
17 prospect is going to use the statements in that
18 marketing brochure to make decisions about whether or
19 not they're going to move in; correct?

15:28:49 20 MR. ACKER: Objection. That calls for
21 speculation.

15:28:52 22 THE WITNESS: Can you -- I'm sorry, that was
23 really long. I'm --

15:28:57 24 BY MR. CONGER:

15:28:57 25 Q. Okay. When you hand over the brochure, your

1 objective is to hopefully get the prospect to move;
2 true?

15:29:03 3 A. Yes, sir.

15:29:04 4 Q. And one of the reasons you give the brochure is
5 you want to convey the information contained in the
6 brochure to the prospect; correct?

15:29:13 7 A. That is correct.

15:29:14 8 Q. And you expect the prospect to rely on what's
9 written here; correct?

15:29:23 10 MR. ACKER: Objection, calls for speculation.

15:29:26 11 THE WITNESS: I would assume the prospect would
12 read the material and very clearly understand that that
13 is the outline of our services as we set forth.

15:29:38 14 BY MR. CONGER:

15:29:38 15 Q. And the objective is you want them to use this
16 brochure in making their decision to move over to La
17 Jolla Village Towers; right?

15:29:48 18 A. It is a marketing brochure. That helps them
19 understand what's available. So yes.

15:29:53 20 Q. Thank you.

15:29:54 21 Those are all the questions -- Oh, I do have
22 one more question. There's one other document I don't
23 know what it is. And that I'm going to mark as 46.

15:30:02 24 (Plaintiffs' Exhibit 46 was marked for
25 identification.)

DRAFT

La Jolla Village Towers
A CLASSIC RESIDENCE BY
HYATT

APPROVAL FORM FOR PROSPECTIVE RESIDENTS

Applicant Name _____

Date _____

Admissions Committee

1. Sales Director _____ Date _____

(Circle) Approved Approved with addendum Disapproved

2. Executive Director _____ Date _____

(Circle) Approved Approved with addendum Disapproved

3. Assistant Vice President of Operations _____ Date _____

(Circle) Approved Approved with addendum Disapproved

Comments:

Monthly Service Fee as percentage of Total Monthly Income _____ %

Entrance Fee as percentage of Total Assets _____ %

PRES' EXHIBIT 24

pmk
Kelly Parkins Aguirre
8-22-07