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Attorneys for Defendants,
CC-Palo Alto, Inc. a Delaware corporation;
Classic Residence Management Limited Partnership,
an Illinois limited partnership; and CC-Development
Group, Inc., a Delaware corporation

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BURTON RICHTER, an individual;
LINDA COLLINS CORK, an individual;
GEORGIA L. MAY, an individual;
THOMAS MERIGAN, an individual;
ALFRED SPIVACK, an individual; and
JANICE R. ANDERSON, an individual; on
behalf of themselves and all other similarly
situated

Plaintiff,

vs.

CC-PALO ALTO, INC., a Delaware
corporation; **CLASSIC RESIDENCE**
MANAGEMENT LIMITED
PARTNERSHIP, an Illinois limited
partnership; and **CC-DEVELOPMENT**
GROUP, INC., a Delaware corporation

Defendant.

Case No.: C 14-00750 HRL

**[PROPOSED] ORDER GRANTING
CLASSIC RESIDENCE MANAGEMENT
LIMITED PARTNERSHIP'S MOTION
TO DISMISS CLASS ACTION
COMPLAINT FOR: 1. CONCEALMENT;
2. NEGLIGENT MISREPRESENTATION;
3. BREACH OF FIDUCIARY DUTY AND
CONSTRUCTIVE TRUST; 4. FINANCIAL
ABUSE OF ELDERS (CALIFORNIA
WELFARE AND INSTITUTIONS CODE
§§ 15600, ET SEQ.); 5. VIOLATION OF
CALIFORNIA CIVIL CODE §§ 1750, ET
SEQ.; 6. VIOLATION OF CALIFORNIA
BUSINESS AND PROFESSIONS CODE
§§ 17200, ET SEQ.; AND 7. BREACH OF
CONTRACT**

Date: June 3, 2014
Time: 10:00 a.m.
Dept.: 2, 5th Floor
Judge: The Hon. Howard R. Lloyd

Trial Date: Not set.

1 The hearing on the motion of defendant, Classic Residence Management Limited
2 Partnership ("CRMLP") to dismiss this action against CRMLP, came on regularly for hearing by
3 the Court on June 3, 2014, in Department 2, of the above-entitled court, before the Honorable
4 Howard R. Lloyd. Plaintiff and defendant appeared through their respective counsel of record.

5 After hearing, the matter was submitted to the Court for a ruling. The Court, having read
6 and considered the supporting and opposing points and authorities, and having heard and
7 considered the arguments of counsel, and good cause appearing therefore, makes the following
8 orders:

9 IT IS ORDERED that defendant, Classic Residence Management Limited Partnership's
10 motion to dismiss the cause of action for concealment (first cause of action), negligent
11 misrepresentation (second cause of action), breach of fiduciary duty and for imposition of a
12 constructive trust (third cause of action), financial abuse of elders (fourth cause of action),
13 violation of California's Consumers Legal Remedies Act (fifth cause of action), unfair
14 competition (sixth cause of action), and breach of contract (seventh cause of action) against
15 Classic Residence Management Limited Partnership is hereby GRANTED, without leave to
16 amend. The complaint, in its entirety, is therefore dismissed.

17
18
19 DATED: _____

UNITED STATES DISTRICT JUDGE