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| <p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): STEPHEN R. THAMES (106406)/BRIAN R. BAUER (238368) ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP 1900 Main Street, Fifth Floor Irvine, CA 92614 TELEPHONE NO.: 949/553-1313 FAX NO. (Optional): 949/553-8354 E-MAIL ADDRESS (Optional): sthames@allenmatkins.com/bbauer@allenmatkins.com ATTORNEY FOR (Name): Plaintiff PATRICK GALENTINE, as Receiver for. NORDHOFF WAY, LLC</p> | <p>FOR COURT USE ONLY</p> |
| <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL DISTRICT</p> | |
| <p>PLAINTIFF/PETITIONER: PATRICK GALENTINE, as Receiver for NORDHOFF WAY, LLC DEFENDANT/RESPONDENT: WALGREEN CO., an Illinois corporation</p> | |
| <p style="text-align: center;">CASE MANAGEMENT STATEMENT</p> <p>(Check one): <input checked="" type="checkbox"/> UNLIMITED CASE <input type="checkbox"/> LIMITED CASE (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)</p> | <p>CASE NUMBER: BC443562</p> |
| <p>A CASE MANAGEMENT CONFERENCE is scheduled as follows:</p> <p>Date: January 7, 2011 Time: 9:00 a.m. Dept.: 39 Div.: Room:</p> <p>Address of court (if different from the address above):</p> <p><input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): Stephen R. Thames</p> | |

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties (answer one):**
 - a. This statement is submitted by party (name): Plaintiff PATRICK GALENTINE, as Receiver for NORDHOFF WAY, LLC
 - b. This statement is submitted jointly by parties (names):

2. **Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 - a. The complaint was filed on (date): August 12, 2010
 - b. The cross-complaint, if any, was filed on (date):

3. **Service (to be answered by plaintiffs and cross-complainants only)**
 - a. All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed,
 - b. The following parties named in the complaint or cross-complaint
 - (1) have not been served (specify names and explain why not):
 - (2) have been served but have not appeared and have not been dismissed (specify names):
 - (3) have had a default entered against them (specify names):
 - c. The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served):

4. **Description of case**
 - a. Type of case in complaint cross-complaint (Describe, including causes of action):
 Complaint for specific performance of lease

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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*

Plaintiff Patrick Galentine, in his capacity as the court-appointed Receiver for Nordhoff Way, LLC, alleges that Defendant Walgreen Co. breached a lease for that certain real property located at 19320 Nordhoff Street, Northridge, CA (the "Premises") by failing to (i) open for business at the Premises, (ii) perform required construction at the Premises, and (iii) provide required parking lot striping as detailed in the lease. The Receiver seeks specific performance of Walgreens' obligations under the lease, along with incidental damages according to proof at time of trial and attorneys' fees and costs.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**
 The party or parties request a jury trial a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**
 a. The trial has been set for *(date)*:
 b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:

c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:

7. **Estimated length of trial**
 The party or parties estimate that the trial will take *(check one)*:
 a. days *(specify number)*: 5-7 days
 b. hours (short causes) *(specify)*:

8. **Trial representation** *(to be answered for each party)*
 The party or parties will be represented at trial by the attorney or party listed in the caption by the following:
 a. Attorney:
 b. Firm:
 c. Address:
 d. Telephone number:
 e. Fax number:
 f. E-mail address:
 g. Party represented:
 Additional representation is described in Attachment 8.

9. **Preference**
 This case is entitled to preference *(specify code section)*:

10. **Alternative Dispute Resolution (ADR)**
 a. Counsel has has not provided the ADR information package identified in rule 3.221 to the client and has reviewed ADR options with the client.
 b. All parties have agreed to a form of ADR. ADR will be completed by *(date)*:
 c. The case has gone to an ADR process *(indicate status)*:

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10. d. The party or parties are willing to participate in (check all that apply):
- (1) Mediation
 - (2) Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 3.822)
 - (3) Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 3.822)
 - (4) Binding judicial arbitration
 - (5) Binding private arbitration
 - (6) Neutral case evaluation
 - (7) Other (specify):

- e. This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit,
- f. Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
- g. This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court (specify exemption):
 California Rules of Court, Rule 3.811(b)(1)

11. Settlement conference

- The party or parties are willing to participate in an early settlement conference (specify when):

12. Insurance

- a. Insurance carrier, if any, for party filing this statement (name):
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (explain):

13. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.
 Bankruptcy Other (specify):
 Status:

14. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status: Additional cases are described in Attachment 14a.
- b. A motion to consolidate coordinate will be filed by (name party):

15. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (specify moving party, type of motion, and reasons):

16. Other motions

- The party or parties expect to file the following motions before trial (specify moving party, type of motion, and issues):
 Motion for summary judgment/adjudication of issues

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17. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):

| <u>Party</u> | <u>Description</u> | <u>Date</u> |
|-----------------------------|-----------------------------------------------------|-------------|
| Plaintiff Patrick Galentine | Depositions of party witnesses and/or third parties | April 2011 |
| | Additional written discovery to defendant Walgreens | April 2011 |

- c. The following discovery issues are anticipated (*specify*):

18. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90 through 98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (*if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case*):

19. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (*specify*):

20. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (*if not, explain*):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (*specify*):

21. Total number of pages attached (*if any*): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: December 23, 2010

ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP

Brian R. Bauer

(TYPE OR PRINT NAME)

▶ 

(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

1 PROOF OF SERVICE

2 I am employed in the County of Orange, State of California. I am over the
3 age of eighteen (18) and am not a party to this action. My business address is
4 1900 Main Street, Fifth Floor, Irvine, California 92614-7321.

5 On December 23, 2010, I served the within document described as CASE
6 MANAGEMENT STATEMENT on the interested parties in this action as stated
7 below:

8 Jason H. Wilson, Esq. Attorneys for Defendant Walgreen Co.
9 Willenken Wilson Loh & Lieb, LLP Served via mail
10 707 Wilshire Boulevard, Suite 3850
11 Los Angeles, CA 90017
12 Phone: (213) 955-8020
13 Fax: (213) 955-9250

14 BY MAIL: I placed a true copy of the document in a sealed envelope or
15 package addressed as indicated above on the above-mentioned date in
16 Irvine, California for collection and mailing pursuant to the firm's ordinary
17 business practice. I am familiar with the firm's practice of collection and
18 processing correspondence for mailing. Under that practice it would be
19 deposited with the U.S. Postal Service on that same day in the ordinary
20 course of business. I am aware that on motion of party served, service is
21 presumed invalid if postal cancellation date or postage meter date is more
22 than one day after date of deposit for mailing in affidavit.

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

25 Executed on December 23, 2010, at Irvine, California.

26 ELIZABETH M. ANDERSON

27 (Type or print name)



(Signature of Declarant)