

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): David M. Marcus (State Bar # 90460) Marcus, Watanabe, Snyder & Dave LLP 1901 Avenue of the Stars, Suite 300 Los Angeles, CA 90067 TELEPHONE NO.: (310) 284-2020 FAX NO. (Optional): (310) 284-2025 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Janice M. McClanahan, Plaintiff	FOR COURT USE ONLY FILED LOS ANGELES SUPERIOR COURT AUG 20 2008 JOHN A. CLARKE, CLERK BY RAUL SANCHEZ, DEPUTY				
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: 111 N. Hill Street CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Central	CASE NUMBER: BC389522				
PLAINTIFF/PETITIONER: Janice M. McClanahan, an individual DEFENDANT/RESPONDENT: Harry Mansdorf, et al.					
<table style="width: 100%;"> <tr> <th colspan="2" style="text-align: center;">CASE MANAGEMENT STATEMENT</th> </tr> <tr> <td style="width: 50%; vertical-align: top;"> (Check one): ☒ UNLIMITED CASE (Amount demanded exceeds \$25,000) </td> <td style="width: 50%; vertical-align: top;"> ☐ LIMITED CASE (Amount demanded is \$25,000 or less) </td> </tr> </table>		CASE MANAGEMENT STATEMENT		(Check one): ☒ UNLIMITED CASE (Amount demanded exceeds \$25,000)	☐ LIMITED CASE (Amount demanded is \$25,000 or less)
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A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: August 26, 2008 Time: 9:00 a.m. Dept.: 54 Div.: Room: Address of court (if different from the address above):					

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): **Janice M. McClanahan**
 - 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): **April 23, 2008**
 - 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): **Kathryn Giacomazza aka Kathryn R. Gatto; Michele v. Giacomazza aka Michael Giacomazza aka Mike Gatto; Joint Ventura Corporation**
 - (2) ☒ have been served but have not appeared and have not been dismissed (specify names): **Harry ("Harold") Mansdorf, individually; Harry ("Harold") Mansdorf, as Trustee of the Mansdorf Family Revocable Trust**
 - (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):
Fraudulent Conveyance

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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.)*

Complaint to set aside fraudulent conveyance; conspiracy. The damages sought exceed eleven million dollars, based on a judgment against Mansdorf in another action.

☐ *(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)*: Plaintiff learned of transfer of another property and needs to amend the Complaint. Having difficulty serving Giacomazza.

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

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):

11. Settlement conference

- ☒ The party or parties are willing to participate in an early settlement conference (specify when):
 As soon as possible.

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):
 File amended complaint.

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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*):

Party	Description	Date
Harry Mansdorf	Deposition, Request for Production	February 28, 2009
Mike Giacommasza	Deposition, Request for Production	February 28, 2009

- 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. Case management orders

Previous case management orders in this case are (*check one*): ☐ none ☐ attached as Attachment 21.

22. 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: August 20, 2008

David M. Marcus

(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 **STATE OF CALIFORNIA**

3 **COUNTY OF LOS ANGELES**

4 I am employed in the County of Los Angeles, State of California, I am over the age of 18
5 and not a party to the within action; my business address is 1901 Avenue of the Stars, Suite 300,
Los Angeles, California 90067.

6 On August 20, 2008, I served the foregoing document described as: **CASE**
7 **MANAGEMENT STATEMENT** on the interested parties in this action as follows:

8 **SEE ATTACHED SERVICE LIST**

9 () **(PERSONAL SERVICE)** I personally delivered the document listed above to the
10 person(s) and/or company/entities set forth above by and through
Messengers, (address) _____.

11 () **(BY FACSIMILE TRANSMISSION)** By transmitting from my business address a true
12 copy thereof from sending facsimile machine (310) 284-2025 addressed to each
13 individual at its facsimile telephone number set forth above at the time indicated on the
transmission verification sheet attached hereto.

14 () **(VIA OVERNITE DELIVERY)** I caused to be delivered to an authorized overnight
15 delivery service driver to receive documents, in an envelope or package designated by
16 said overnight delivery service with delivery fees paid or provided for, addressed to the
17 person on whom it is to be served, at the address as last given by that person on any
18 document filed in the case and served on the party making service.

19 (X) **(BY MAIL)** I am readily familiar with the ordinary business practices of the law firm of
20 Marcus, Watanabe, Snyder & Dave, LLP for collection and processing of correspondence
21 for mailing with the United States Postal Service at the aforementioned place of business
22 and that the above-entitled document was placed in a sealed envelope, with postage fully
23 prepaid thereon, and deposited for collection and mailing on the date stated above,
24 following such ordinary practices, and in such manner as to cause it to be deposited with
the United States Postal Service that same day in the ordinary course of business,
addressed as indicated above.

25 (X) **(STATE)** I declare under penalty of perjury under the laws of the State of California
26 that the above is true and correct.

27 () **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this
28 Court at whose discretion the service was made.

Executed on August 20, 2008, at Los Angeles, California.

25 
26 V. Campbell

SERVICE LIST

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