

CM-110

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): John A. Boyd, Esq. - SBN 089394 THOMPSON & COLEGATE LLP 3610 Fourteenth Street P.O. Box 1299 Riverside, CA 92501 TELEPHONE NO.: (951) 682-5550 FAX NO. (Optional): (951) 781-4012 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Defendant, Church of Scientology International	FOR COURT USE ONLY  <h1 style="text-align: center;">FILED</h1> <p style="text-align: center;"><b>02/20/2009</b></p> <p style="text-align: center;"><b>R. NATIVIDAD</b></p> <p style="text-align: center;">Superior Court of California County of Riverside</p>		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE</b> STREET ADDRESS: 4050 Main Street MAILING ADDRESS: CITY AND ZIP CODE: Riverside, CA 92501 BRANCH NAME: Central			
PLAINTIFF/PETITIONER: J.K. PROPERTIES, INC.  DEFENDANT/RESPONDENT: CHURCH OF SCIENTOLOGY INTERNATIONAL, etc., et al.			
<table border="1" style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <b>CASE MANAGEMENT STATEMENT</b>            (Check one): <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b>            (Amount demanded exceeds \$25,000)           <input type="checkbox"/> <b>LIMITED CASE</b>            (Amount demanded is \$25,000 or less)         </td> <td style="width: 40%; vertical-align: top;">           CASE NUMBER:             RIC 461032         </td> </tr> </table>		<b>CASE MANAGEMENT STATEMENT</b> (Check one): <input checked="" type="checkbox"/> <b>UNLIMITED CASE</b> (Amount demanded exceeds \$25,000) <input type="checkbox"/> <b>LIMITED CASE</b> (Amount demanded is \$25,000 or less)	CASE NUMBER:  RIC 461032
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A CASE MANAGEMENT CONFERENCE is scheduled as follows:

Date: March 10, 2009 Time: 8:30 a.m. Dept.: 7 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): Defendant/Cross-complaint Church of Scientology
- 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): November 22, 2006
- b.  The cross-complaint, if any, was filed on (date): January 9, 2008

**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):  
 Cross-complainant's cross-complaint sets forth theories of liability based on breach of contract and violation of California Civil Code Section 1950.5 (g).

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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.)*  
 Cross-defendant failed to and refuses to return cross-complainant's security deposit of \$36,680.00. Cross-defendant's actions constitute a breach of contract and violation of California Civil Code Section 1950.5(g). Cross-complainant seeks breach of contract and statutory damages of \$73,360.00, plus interest from 9/10/07; reimbursement of costs incurred in this action; attorney fees; and other relief as this Court deems appropriate.

*(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):*  
 3/12/09; 3/13/09; 3/16/09; 3/27/09; 4/6/09; 4/13/09; 4/20/09-4/24/09;  
 4/24/09; 4/27/09; 5/7/09; 5/11/09; 5/26/09; 6/29/09; 6/30/09; 09/11/09;  
 09/14/09

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

a.  days *(specify number)*: 2 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: Kendrick L. Moxon, Esq. (SBN 128240)

b. Firm: MOXON & KOBRIN

c. Address: 3055 Wilshire Blvd., Suite 900, Los Angeles, CA 90010

d. Telephone number: (213) 487-4468

e. Fax number: (213) 487-5385

f. E-mail address:

g. Party represented: Defendant, Church of Scientology International

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 ordered by the Court.

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 on Complaint and Cross-Complaint is to be heard on March 10, 2009.

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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
Defendant/Offes-Complainant, Church of Scientology International	Expert Depositions	60-90 days prior to trial
- 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): Telephone message left for attorney Kevin Jones to meet and confer. No known matters that require further discussion.
- 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

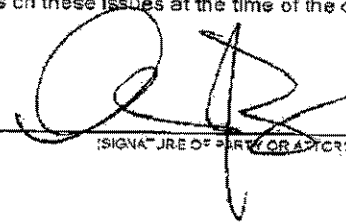
Previous case management orders in this case are (check one):  none  attached as Attachment 21.

22. Total number of pages attached (if any): 2

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: February 20, 2009

ANTHONY T. PEREZ, ESQ.  
(TYPE OR PRINT NAME)

  
 (SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

I am employed in the County of Riverside, State of California. I am over the age of 18 years and not a party to the within action. My business address is **3610 Fourteenth Street, P. O. Box 1299, Riverside, California 92502.**

On February 20, 2009, I served the foregoing document described as **CASE MANAGEMENT STATEMENT** on the interested parties in this action.

by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

**SEE ATTACHED SERVICE LIST**

**BY REGULAR MAIL:** I deposited such envelope in the mail at 3610 Fourteenth Street, Riverside, California. The envelope was mailed with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

**BY FACSIMILE MACHINE:** I transmitted a true copy of said document(s) by facsimile machine, and no error was reported. Said fax transmission(s) were directed as indicated on the service list.

**BY OVERNIGHT MAIL:** I deposited such documents at the Overnite Express or Federal Express Drop Box located at \_\_\_\_\_. The envelope was deposited with delivery fees thereon fully prepaid.

**BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above addressee(s).

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

(Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 20, 2009, at Riverside, California.

  
Carmen Ventura Brunner

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J.K. PROPERTIES, INC., v CHURCH OF SCIENTOLOGY INTERNATIONAL, ET AL.  
RIC 461032  
Our File No.: 1502/065257

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SCIENTOLOGY INTERNATIONAL

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Telephone: (323) 669-9090