

Mark R. Mittelman (SBN 96598)
 Paul A. Kanter (SBN 194596)
 LAW OFFICES OF MARK R. MITTELMAN
 A Professional Corporation
 575 Lennon Lane, Suite 150
 Walnut Creek, California 94598
 Telephone: (925) 256-0677
 Facsimile: (925) 256-0679

**ELECTRONICALLY
 FILED**
*Superior Court of California,
 County of San Francisco*
03/02/2017
Clerk of the Court
 BY: SANDRA SCHIRO
 Deputy Clerk

Attorneys for Defendant and Cross-complainant
 1979 UNION STREET CORPORATION dba
 THE BLUE LIGHT

SUPERIOR COURT OF CALIFORNIA
 COUNTY OF SAN FRANCISCO

Aaron Abel,

Plaintiff,

vs.

1979 UNION STREET CORPORATION; HO
 BET LEE, LAI FONG LEE, AND LEO MING
 LEE, as co-trustees of the Generation-Skipping
 Trust established under the HOM HON PING AND
 KAI TAI LEE REVOCABLE TRUST U/A dated
 December 2, 1976, as amended May 10, 1989;
 MAY LEE; LEO M. LEE; LEO Y. LEE; and
 DOES 1 to 50, inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

Case No. CGC-15-543471

**DECLARATION OF MARK R.
 MITTELMAN IN SUPPORT OF
 PLAINTIFF AARON ABEL'S MOTION
 TO CONTINUE TRIAL DATE**

DATE: March 16, 2017
 TIME: 9:30 a.m.
 DEPT: 206
 TRIAL DATE: April 3, 2017

I, Mark R. Mittelman, declare:

1. I am an attorney licensed to practice law in the State of California and am principal of the Law Offices of Mark R. Mittelman, attorneys of record for Defendant / Cross-Complainant 1979 UNION STREET CORPORATION dba THE BLUE LIGHT in the within matter. The following statements are based on my personal knowledge and I could and would competently testify thereto in a court of law.

2. The trial date in the instant case is currently set for April 3, 2017. Given the conflict

1 of Plaintiff's counsel, I do not oppose the motion to continue the trial date.

2 3. In addition, on March 20, 2017, I am scheduled for a trial in San Francisco Superior
3 Court in the personal injury case of Lee v. Oakwood Hotel LLC, CGC-13-533709. In that case,
4 Plaintiff's last demand was for \$124,000. Defendant's CCP §998 offer was for \$60,000. The parties
5 remain far apart and there is a reasonable likelihood that her case will be tried.

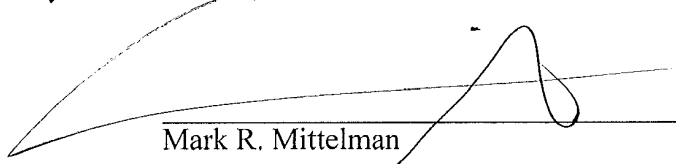
6 4. If the Lee case proceeds to trial, it would not be possible for me to prepare for, and try,
7 the instant lawsuit. A trial continuance would obviously eliminate that conflict.

8 5. In addition to the Lee case, I have the following other cases set for trial during the
9 period March to May 2017: Giordano v. CC's Pierce Street Manor LLC – San Francisco (4/17/17);
10 Boyd v. Tasty Szechuan – Alameda (4/21/17); Williams v. McGee – Alameda (5/8/17); and
11 Mittelman v. Johnson – Contra Costa (5/15/17).

12 6. The parties have recently agreed to mediate this case in the hope of resolving same
13 and are in the process of selecting a mediator and a mediation date.

14 7. I therefore support Plaintiff's motion for a trial continuance, and seek a trial date in
15 mid to late August 2017 or September 2017.

16
17 I declare under penalty of perjury of the laws of the State of California that the foregoing is
18 true and correct. Executed on the 2nd day of March 2017, in Walnut Creek, California.

19
20
21 
22
23
24
25
26
27
28
Mark R. Mittelman

Abel v. 1979 Union Street Corporation, et al.
San Francisco County Action No. CGC-14-543471

PROOF OF SERVICE

I do hereby declare that I am a citizen of the United States employed in the County of Contra Costa, over 18 years old and that my business address is 575 Lennon Lane, Suite 150, Walnut Creek, California 94598. I am not a party to the foregoing action.

On March 2, 2017, I served the following document(s):

DECLARATION OF MARK R. MITTELMAN IN SUPPORT OF PLAINTIFF AARON ABEL'S MOTION TO CONTINUE TRIAL DATE

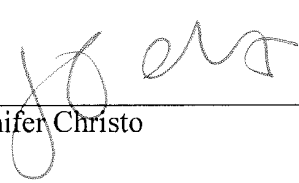
☐ (BY U.S. MAIL) by placing a true copy of the aforementioned document(s) in a sealed envelope and deposited same in the United States mail at Walnut Creek, California, addressed as set forth below. I am readily familiar with this firm's practice of collecting and processing documents for mailing. Under that practice, it would be deposited with the U. S. Postal Service on that same day, with postage thereon fully prepaid, in the ordinary course of business. [Code of Civil Procedure §1013(a)(3)]

☐ (BY FACSIMILE) by causing such document(s) to be successfully transmitted via facsimile to the addressee(s) listed below. [Code of Civil Procedure §1013(e)(f)]

☐ (BY OVERNIGHT DELIVERY) by depositing a true copy thereof in a sealed envelope and depositing in a repository regularly maintained by an express service carrier with fees fully prepaid. [Code of Civil Procedure §1013(c)(d)]

☒ (BY ELECTRONIC SERVICE) by causing such document(s) to be electronically served through File & ServeXpress for the above-entitled case to the parties on the Service List maintained on the File & ServeXpress website for this case. The transmission was reported as complete on the date and time indicated on the File & ServeXpress Transaction Receipt.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the date first set forth above, at Walnut Creek, California.



Jennifer Christo

Joseph S. May
Law Offices of Joseph S. May
1388 Sutter Street, Suite 810
San Francisco, CA 94109

Attorneys for Plaintiff Aaron Abel
Tel: (415) 781-3333
Fax: (415) 707-6600
Email: joseph@josephmaylaw.com

Thomas J. Purtell
The Law Offices of Thomas J. Purtell
534 Pacific Avenue, Suite 200
San Francisco, CA 94133

Attorneys for Cross-Defendant/Cross-complainant
GIOVANNI NAVARRETTE
Tel: (415) 722-6291
Fax: (415) 834-5591
Email: tpurtell@thomaswjpurcell-law.com