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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

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SAN FRANCISCO

10 11 Aaron Abel,

12 Plaintiff,

13 vs.

14 1979 UNION STREET CORPORATION; HO  
15 BET LEE, LAI FONG LEE, AND LEO MING  
16 LEE, as co-trustees of the Generation-Skipping  
17 Trust established under the HOM HON PING AND  
18 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,

19 Defendants.

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

20 AND RELATED CROSS-ACTIONS.

21 I, Mark R. Mittelman, declare:

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

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

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

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

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

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

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

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

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

Mark R. Mittelman

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

2 **PROOF OF SERVICE**

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

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

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

- 9  (By U.S. Mail) by placing a true copy of the aforementioned document(s) in a sealed envelope  
10 and deposited same in the United States mail at Walnut Creek, California, addressed as set forth  
11 below. I am readily familiar with this firm's practice of collecting and processing documents for  
12 mailing. Under that practice, it would be deposited with the U. S. Postal Service on that same  
13 day, with postage thereon fully prepaid, in the ordinary course of business. [Code of Civil  
14 Procedure §1013(a)(3)]
- 15  (By Facsimile) by causing such document(s) to be successfully transmitted via facsimile to the  
16 addressee(s) listed below. [Code of Civil Procedure §1013(e)(f)]
- 17  (By Overnight Delivery) by depositing a true copy thereof in a sealed envelope and  
18 depositing in a repository regularly maintained by an express service carrier with fees fully  
19 prepaid. [Code of Civil Procedure §1013(c)(d)]
- 20  (By Electronic Service) by causing such document(s) to be electronically served through  
21 File & ServeXpress for the above-entitled case to the parties on the Service List maintained on  
22 the File & ServeXpress website for this case. The transmission was reported as complete on the  
23 date and time indicated on the File & ServeXpress Transaction Receipt.

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

26   
27 Jennifer Christo  
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