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6 Attorney for Defendants,
7 RICHARD BEE AND CAROL BEE
8
9

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SAN FRANCISCO**

12 KEITH MARTIN,

13 Plaintiff,

14 vs.

15 RICHARD BEE and CAROL BEE,

16 Defendants.
17
18
19
20

Case No.: CGC-15-543473
UNLIMITED JURISDICTION

**NOTICE OF LODGMENT OF EXHIBITS IN
SUPPORT OF MOTION FOR SUMMARY
JUDGMENT BY DEFENDANTS RICHARD
BEE AND CAROL BEE and EXHIBITS A-D**

[filed concurrently with notice, memorandum
of points and authorities, declaration of David
W. Chen and separate statement of material
facts and supporting evidence]

DATE: July 6, 2016
TIME: 9:30 A.M.
DEPT.: 302
Reservation # 04150706-10

21 Defendants Richard Bee and Carol Bee hereby lodge with the Court the following exhibits in
22 support of their Motion for Summary Judgment:

23 Exhibit A: Complaint in this matter.

24 Exhibit B: Requests for Admission, Set No. 1, served on plaintiff on December 1, 2015.

25 Exhibit C: Order of the Court dated February 4, 2016, whereby Requests for Admissions
26 were deemed admitted.


27 Exhibit D: Notice of Ruling.
28

**ELECTRONICALLY
FILED**
*Superior Court of California,
County of San Francisco*
04/20/2016
Clerk of the Court
BY:ALISON AGBAY
Deputy Clerk

1 DATED: April 20, 2016

STRATMAN, PATTERSON & HUNTER

2
3 BY:



DAVID W. CHEN, ESQ.
Attorney for Defendants,
RICHARD BEE AND CAROL BEE

EXHIBIT “A”

1022860321-15

PLD-PT-381

ATTORNEY OR FACTOR: William Green SEN 123814 Delfino Green & Green 1010 D Street, #520 San Rafael, CA 94901 TEL: 415-442-4646 FAX: 415-442-4802		ATTORNEY OR FACTOR: Angela Davidson SEN 282584 Sharon Delfino Green SEN 133705 TEL: 415-442-4802	
PLAINTIFF: Plaintiff DEFENDANT: Richard Bee and Carol Bee			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: San Francisco, 94102 CITY AND COUNTY: San Francisco COUNTY: Civil PLAINTIFF: Keith Martin DEFENDANT: Richard Bee and Carol Bee			
COMPLAINT: Personal Injury, Property Damage, Wrongful Death Type of Case: <input checked="" type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify): Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE: Amount demanded: <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) ACTION IS RECLASSIFIED by this amended complaint: <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited			

RECEIVED
CLERK OF THE COURT
JAN 02 2015
ROSSBY DE LAVERA-NUVAERO
County Clerk

CQC-14-543473

1. Plaintiff (name or names): Keith Martin
Alleges causes of action against defendant (name or names):
Richard and Carol Bee
2. This pleading, including attachments and exhibits, consists of the following number of pages:
3. Each plaintiff named above is a competent adult
 - a. ☐ except plaintiff (name):
 - (1) ☐ a corporation, qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - b. ☐ except plaintiff (name):
 - (1) ☐ a corporation, qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

Form Approved for Release Use
Persons: District of Columbia
Published June 2, 2004

COMPLAINT—Personal Injury, Property
Damage, Wrongful Death

15871 of 7
Date of Case: 02/09/2015, 14:20:11
www.courtsonline.org

1022860321-1-5

PLD-01-001

SHORT TITLE: Martin v. Bee	CASE NUMBER:
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4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):
and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. ☐ except defendant (name):
(1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):
- b. ☐ except defendant (name):
(1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):
- c. ☐ except defendant (name):
(1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):
- d. ☐ except defendant (name):
(1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):
- ☐ Information about additional defendants who are not natural persons is contained in Attachment B.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. ☒ One defendant (specify Doe numbers): 1-23 were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ One defendant (specify Doe numbers): 26-50 are persons whose capacities are unknown to plaintiff.
7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. ☐ at least one defendant now resides in its jurisdictional area.
- b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
- d. ☐ other (specify):
9. ☐ Plaintiff is required to comply with a claims statute, and
- a. ☐ has complied with applicable claims statutes, or
- b. ☐ is excused from complying because (specify):

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PLD-PI-001

SHORT TITLE: Martin v. Bee	CASE NUMBER:
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10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):
- a. ☒ Motor Vehicle
 - b. ☒ General Negligence
 - c. ☐ Intentional Tort
 - d. ☐ Products Liability
 - e. ☐ Premises Liability
 - f. ☐ Other (specify):

11. Plaintiff has suffered
- a. ☒ wage loss
 - b. ☒ loss of use of property
 - c. ☒ hospital and medical expenses
 - d. ☒ general damage
 - e. ☒ property damage
 - f. ☒ loss of earning capacity
 - g. ☐ other damage (specify):

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
- a. ☐ listed in Attachment 12.
 - b. ☐ as follows:

13. The venue sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit, for such relief as is fair, just, and equitable; and for
- a. (1) ☒ compensatory damages
 - (2) ☐ punitive damages
- The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):
- (1) ☒ according to proof
 - (2) ☐ in the amount of \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: January 2, 2015

Sharon Delfino Green, Esq.

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY)

PLD-PI-001 (Rev. January 1, 2007)

COMPLAINT—Personal Injury, Property
Damage, Wrongful Death

Page 3 of 3

1022-860321-1-5

PLD-PI-001(1)

SHORT TITLE: Martin v. Bee	CASE NUMBER:
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1

CAUSE OF ACTION—Motor Vehicle

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

Plaintiff (name): Keith Martin

MV-1. Plaintiff alleges the acts of defendants were negligent; the acts were the legal (proximate) cause of injuries and damages to plaintiff; the acts occurred on (date): January 3, 2013 at (place): 5th Street in San Francisco, California

MV-2. DEFENDANTS

a. ☒ The defendants who operated a motor vehicle are (names): Carol Bee☒ Does 1 to 25b. ☐ The defendants who employed the persons who operated a motor vehicle in the course of their employment are (names):☐ Does toc. ☒ The defendants who owned the motor vehicle which was operated with their permission are (names): Richard Bee☒ Does 26 to 50d. ☒ The defendants who entrusted the motor vehicle are (names): Richard Bee☒ Does 26 to 50e. ☐ The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):☐ Does tof. ☐ The defendants who are liable to plaintiffs for other reasons and the reasons for the liability are ☐ listed in Attachment MV-2f ☐ as follows:☐ Does to

Page 4

1087860321-1-5

PLD-P1-001(2)

SHORT TITLE Martin v. Bee	CASE NUMBER
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2

(number)

CAUSE OF ACTION—General Negligence

Page 5

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Keith Martin

alleges that defendant (name): Carol Bee

☒ Does 1 to 50

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): January 3, 2013

at (place): 5th Street in San Francisco, CA

(Description of reasons for liability):

Plaintiff was stopped at a red light on 5th Street, just west of Folsom Street in San Francisco. Plaintiff was hit from behind by Defendant Carol Bee with force causing Plaintiff's head to snap back against seat causing injury to his neck.

Defendant's negligence proximately caused damage to Mr. Martin of a nature and in amount according to proof at trial

1077860 321-1-5

PROPERTY OF PARTIES TO BE KEPT IN THE COURTROOM William Green 36N 123456 Delores Green & Green 1010 N Street, #123 San Rafael, CA 94901 TELEPHONE NO: 415-442-4567 FAX NO: 415-442-4802 E-MAIL: <u>WILLIAM@GREEN.COM</u>		EMPLOYED BY CLERK OF THE COURT DEPARTMENT OF JUSTICE JAN 02 2015 DELORES GREEN COURT CLERK
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street CITY AND ZIP CODE: San Francisco, 94102 NATURE OF CASE: Civil		
CASE NAME: Keith Martin v. Richard Best And Carol Bee		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-8 below must be completed (see instructions on page 2)

1. Check one box below for the case type that best describes this case:

<input type="checkbox"/> Auto Tort <input type="checkbox"/> Uninsured motorist (UM) <input type="checkbox"/> Other PIP/NOPI (Personal Injury/Property Damage/No-Fault Death) Tort <input type="checkbox"/> Addictive (14) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (40) <input checked="" type="checkbox"/> Other PIP/NOPI (22) <input type="checkbox"/> Non-PIP/NOPI Common Tort <input type="checkbox"/> Substantive tort/business practice (37) <input type="checkbox"/> Copyright (38) <input type="checkbox"/> Defamation (12) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (23) <input type="checkbox"/> Other non-PIP/NOPI tort (25) <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (18)	<input type="checkbox"/> Search of consciousness pay (26) <input type="checkbox"/> Rate 3.740 collection (27) <input type="checkbox"/> Other collection (28) <input type="checkbox"/> Insurance coverage (10) <input type="checkbox"/> Other contract (27) <input type="checkbox"/> Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Insurance malpractice (32) <input type="checkbox"/> Other real property (29) <input type="checkbox"/> Employee/employer <input type="checkbox"/> Construction (31) <input type="checkbox"/> Maritime (33) <input type="checkbox"/> Drugs (35) <input type="checkbox"/> Official Review <input type="checkbox"/> Human Rights (45) <input type="checkbox"/> Prison rehabilitation issues (11) <input type="checkbox"/> Will of marquis (61) <input type="checkbox"/> Other judicial review (50)	<input type="checkbox"/> Previously Complex Civil Litigation (Cal. Rules of Court, rules 3.403-3.405) <input type="checkbox"/> Arbitral/trade regulation (21) <input type="checkbox"/> Construction contract (13) <input type="checkbox"/> Mass tort (15) <input type="checkbox"/> Securities litigation (24) <input type="checkbox"/> Environmental/toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed predominantly complex case types (17) <input type="checkbox"/> Enforcement of judgments <input type="checkbox"/> Enforcement of judgment (20) <input type="checkbox"/> Interference with contract <input type="checkbox"/> NAD (27) <input type="checkbox"/> Other contract (not specified above) (26) <input type="checkbox"/> Independent Civil Proceeding <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other practice (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

<input type="checkbox"/> Large number of separately represented parties <input type="checkbox"/> Delicate motion practice raising difficult or novel issues that will be time-consuming to resolve <input type="checkbox"/> Substantial amount of documentary evidence	<input type="checkbox"/> Large number of witnesses <input type="checkbox"/> Consideration with related actions pending in one of more courts in other counties, states, or countries, or in a federal court <input type="checkbox"/> Substantial preclusion of judicial supervision
--	---

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): 2: Motor Vehicle, General Negligence

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-115)

Date: January 2, 2015
 Sheron Delores Green, Esq.
 (Signature)

NOTICE

Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.

File this cover sheet in addition to any cover sheet required by local court rule.

If this case is complex under rule 3.400 of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.

Use this form for a collection case under rule 3.740 or a complex case; (file cover sheet with the used for statistical purposes only).

Form CM-115 (Rev. 1/1/15)
 Judicial Branch of California
 San Francisco, July 1, 2015

CIVIL CASE COVER SHEET

San Francisco Judicial Branch of California
 San Francisco, July 1, 2015

10878 1087860321-1-5

CASE NUMBER CGC-15-00473 KEITH MARTIN VS RICHARD LEE ET AL

NOTICE TO PLAINTIFF

A Case Management Conference is set to:

DATE: JUN-01-2016**TIME:** 10:30AM**PLACE:** Department 810
400 McAllister Street
San Francisco, CA 94102-8880

All parties must appear and comply with Local Rule 3.

CRD 3-725 requires the filing and service of a case management statement from CM-110 no later than 15 days before the case management conference. However, it would be in the best interests of the parties to file a case management statement without an appearance at the case management conference if the case management statement is filed, served and docketed in Department 810 twenty-five (25) days before the case management conference.

Plaintiff must serve a copy of this notice upon each party to this action with the summons and complaint. Proof of service subsequently filed with this court shall so state. This case is eligible for electronic filing and service per Local Rule 2.10. For more information, please visit the Court's website at www.sfsuperiorcourts.org under Online Services.

ALTERNATIVE DISPUTE RESOLUTION POLICY REQUIREMENTS

IT IS THE POLICY OF THE SUPERIOR COURT THAT EVERY CIVIL CASE PARTICIPATE IN EITHER MEDIATION, JUDICIAL OR NON-JUDICIAL ARBITRATION, THE EARLY SETTLEMENT PROGRAM OR SOME SUITABLE FORM OF ALTERNATIVE DISPUTE RESOLUTION PRIOR TO A TRIAL.
(SEE LOCAL RULE 4)

Plaintiff must serve a copy of the Alternative Dispute Resolution Information Package on each defendant along with the complaint. All counsel must discuss ADR with clients and opposing counsel and provide clients with a copy of the Alternative Dispute Resolution Information Package prior to filing the Case Management Statement.

DEFENDANTS: Attending the Case Management Conference does not take the place of filing a written response to the complaint. You must file a written response with the court within the time limit required by law. See Summons.

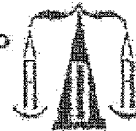
Superior Court Alternative Dispute Resolution Coordinator
400 McAllister Street, Room 103
San Francisco, CA 94102
(415) 551-2889

See Local Rules 3.3, 5.4 C and 46 B for stipulation to judge program.

1087860321-1-5



Superior Court of California, County of San Francisco
**Alternative Dispute Resolution
 Program Information Package**



The plaintiff must serve a copy of the ADR information package
 on each defendant along with the complaint. (CRC 3.221(c))

WHAT IS ADR?

Alternative Dispute Resolution (ADR) is the term used to describe the various options available for settling a dispute without a trial. There are many different ADR processes, the most common forms of which are mediation, arbitration and settlement conferences. In ADR, trained, impartial people decide disputes or help parties decide disputes themselves. They can help parties resolve disputes without having to go to court.

WHY CHOOSE ADR?

"It is the policy of the Superior Court that every noncriminal, nonjuvenile case participate either in an early settlement conference, mediation, arbitration, early neutral evaluation or some other alternative dispute resolution process prior to trial." (Local Rule 4)

ADR can have a number of advantages over traditional litigation:

- ADR can save time. A dispute often can be resolved in a matter of months, even weeks, through ADR, while a lawsuit can take years.
- ADR can save money, including court costs, attorney fees, and expert fees.
- ADR encourages participation. The parties may have more opportunities to tell their story than in court and may have more control over the outcome of the case.
- ADR is more satisfying. For all the above reasons, many people participating in ADR have reported a high degree of satisfaction.

HOW DO I PARTICIPATE IN ADR?

Litigants may elect to participate in ADR at any point in a case. General civil cases may voluntarily enter into the court's ADR programs by any of the following means:

- Filing a Stipulation to ADR: Complete and file the Stipulation form (attached to this packet) at the clerk's office located at 400 McAllister Street, Room 103;
- Indicating your ADR preference on the Case Management Statement (also attached to this packet); or
- Contacting the court's ADR office (see below) or the Bar Association of San Francisco's ADR Services at 415-782-8805 or www.sfbabar.org/adr for more information.

For more information about ADR programs or dispute resolution alternatives, contact:

Superior Court Alternative Dispute Resolution
 400 McAllister Street, Room 103, San Francisco, CA 94102
 415-551-3876

Or, visit the court ADR website at www.sfsuperiorcourt.org

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The San Francisco Superior Court offers different types of ADR processes for general civil matters; each ADR program is described in the subsections below.

1) SETTLEMENT CONFERENCES

The goal of settlement conferences is to provide participants an opportunity to reach a mutually acceptable settlement that resolves all or part of a dispute early in the litigation process.

(A) THE BAR ASSOCIATION OF SAN FRANCISCO (BASF) EARLY SETTLEMENT PROGRAM (ESP): ESP remains as one of the Court's ADR programs (see Local Rule 4.3) but parties must select the program -- the Court no longer will order parties into ESP.

Operation: Panels of pre-screened attorneys (one plaintiff, one defense counsel) each with at least 10 years' trial experience provide a minimum of two hours of settlement conference time, including evaluation of strengths and weakness of a case and potential case value. On occasion, a panelist with extensive experience in both plaintiff and defense roles serves as a sole panelist. BASF handles notification to all parties, conflict checks with the panelists, and full case management. The success rate for the program is 78% and the satisfaction rate is 97%. Full procedures are at www.sfbarto.org/esp.

Cost: BASF charges an administrative fee of \$295 per party with a cap of \$690 for parties represented by the same counsel. Waivers are available to those who qualify. For more information, call Marilyn King at 415-752-8906, email ad@sfbar.org or see the enclosed brochure.

(B) MANDATORY SETTLEMENT CONFERENCES: Parties may elect to apply to the Presiding Judge's department for a specialty-set mandatory settlement conference. See Local Rule 5.0 for further instructions. Upon approval of the Presiding Judge, the court will schedule the conference and assign the case for a settlement conference.

2) MEDIATION

Mediation is a voluntary, flexible, and confidential process in which a neutral third party facilitates negotiations. The goal of mediation is to reach a mutually satisfactory agreement, before incurring the expense of going to court, that resolves all or part of a dispute after exploring the interests, needs, and priorities of the parties in light of relevant evidence and the law. A mediator strives to bring the parties to a mutually beneficial settlement of the dispute.

(A) MEDIATION SERVICES OF THE BAR ASSOCIATION OF SAN FRANCISCO, in cooperation with the Superior Court, is designed to help civil litigants resolve disputes before they incur substantial costs in litigation. While it is best to utilize the program at the outset of litigation, parties may use the program at any time while a case is pending.

Operation: Experienced professional mediators, screened and approved, provide one hour of preparation time and the first two hours of mediation time. Mediation time beyond that is charged at the mediator's hourly rate. BASF pre-screens all mediators based upon strict educational and experience requirements. Parties can select their mediator from the panels at www.sfbarto.org/mediation or BASF can assist with mediator selection. The BASF website contains photographs, biographies, and videos of the mediators as well as testimonials to assist with the selection process. BASF staff handles conflict checks and full case management.

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Mediators work with parties to arrive at a mutually agreeable solution. The success rate for the program is 64% and the satisfaction rate is 98%.

Cost: BASF charges an administrative fee of \$295 per party. The hourly mediator fee beyond the first three hours will vary depending on the mediator selected. Waivers of the administrative fee are available to those who qualify. For more information, call Marilyn King at 415-782-8905, email adm@bafar.org or see the enclosed brochure.

(B) PRIVATE MEDIATION: Although not currently a part of the court's ADR program, civil disputes may also be resolved through private mediation. Parties may elect any private mediator or mediation organization of their choice; the selection and coordination of private mediation is the responsibility of the parties. Parties may find mediators and organizations on the Internet. The cost of private mediation will vary depending on the mediator selected.

3) ARBITRATION

An arbitrator is neutral attorney who presides at a hearing where the parties present evidence through exhibits and testimony. The arbitrator applies the law to the facts of the case and makes an award based upon the merits of the case.

(A) JUDICIAL ARBITRATION: When the court orders a case to arbitration it is called "judicial arbitration". The goal of arbitration is to provide parties with an adjudication that is earlier, faster, less formal, and usually less expensive than a trial.

Operation: Pursuant to CCP 1141.11 and Local Rule 4, all civil actions in which the amount in controversy is \$50,000 or less, and no party seeks equitable relief, shall be ordered to arbitration. (Upon stipulation of all parties, other civil matters may be submitted to judicial arbitration.) A case is ordered to arbitration after the Case Management Conference. An arbitrator is chosen from the court's arbitration panel. Arbitrations are generally held between 7 and 9 months after a complaint has been filed. Judicial arbitration is not binding unless all parties agree to be bound by the arbitrator's decision. Any party may request a trial within 30 days after the arbitrator's award has been filed.

Local Rule 4.2 allows for mediation in lieu of judicial arbitration, so long as the parties file a stipulation to mediate after the filing of a complaint. If settlement is not reached through mediation, a case proceeds to trial as scheduled.

Cost: There is no cost to the parties for judicial arbitration.

(B) PRIVATE ARBITRATION: Although not currently a part of the court's ADR program, civil disputes may also be resolved through private arbitration. Here, the parties voluntarily consent to arbitration. If all parties agree, private arbitration may be binding and the parties give up the right to judicial review of the arbitrator's decision. In private arbitration, the parties select a private arbitrator and are responsible for paying the arbitrator's fees.

TO PARTICIPATE IN ANY OF THE COURT'S ADR PROGRAMS, PLEASE COMPLETE THE ATTACHED STIPULATION TO ALTERNATIVE DISPUTE RESOLUTION AND SUBMIT IT TO THE COURT. YOU MUST ALSO CONTACT BASF TO ENROLL IN THE LISTED BASF PROGRAMS. THE COURT DOES NOT FORWARD COPIES OF COMPLETED STIPULATIONS TO BASF.

1088800 321-1-5

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address)		FOR COURT USE ONLY	
TELEPHONE NO.:			
ATTORNEY FOR (Please):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO 400 McAllister Street San Francisco, CA 94102-4514			
PLAINTIFF/DEFENDANT:			
DEFENDANT/RESPONDENT:			
STIPULATION TO ALTERNATIVE DISPUTE RESOLUTION (ADR)		CASE NUMBER:	
		DEPARTMENT #12	

1) The parties hereby stipulate that this action shall be submitted to the following ADR process:

- ☐ Early Settlement Program of the Bar Association of San Francisco (BASF) - Pre-screened experienced attorneys provide a minimum of 2 hours of settlement conference time for a BASF administrative fee of \$250 per party. Waivers are available to those who qualify. BASF handles notification to all parties, conflict checks with the panelists, and full case management. www.sfbal.org/esep
- ☐ Mediation Services of BASF - Experienced professional mediators, screened and approved, provide one hour of preparation and the first two hours of mediation time for a BASF administrative fee of \$250 per party. Mediation time beyond that is charged at the mediator's hourly rate. Waivers of the administrative fee are available to those who qualify. BASF assists parties with mediator selection, conflict checks and full case management. www.sfbal.org/mediation
- ☐ Private Mediation - Mediators and ADR provider organizations charge by the hour or by the day, current market rates. ADR organizations may also charge an administrative fee. Parties may find experienced mediators and organizations on the Internet.
- ☐ Judicial Arbitration - Non-binding arbitration is available to cases in which the amount in controversy is \$50,000 or less and no equitable relief is sought. The court appoints a pre-screened arbitrator who will issue an award. There is no fee for this program. www.sjsuperiorcourt.org
- ☐ Other ADR process (describe): _____

2) The parties agree that the ADR Process shall be completed by (date): _____

3) Plaintiff(s) and Defendant(s) further agree as follows:

Name of Party Stipulating

Name of Party Stipulating

Name of Party or Attorney Creating Stipulation

Name of Party or Attorney Creating Stipulation

Signature of Party or Attorney

Signature of Party or Attorney

☐ Plaintiff ☐ Defendant ☐ Cross-defendant

☐ Plaintiff ☐ Defendant ☐ Cross-defendant

Dated: _____

Dated: _____

☐ Additional signature(s) attached

108860321-1-5

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print name, title, address, and telephone)		FOR COUNTY CLERK
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Party):	FAX NO. (Optional):	CASE NUMBER:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF:		
STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:		
(Check one) <input type="checkbox"/> CASE MANAGEMENT STATEMENT <input type="checkbox"/> UNLIMITED CASE <input type="checkbox"/> LIMITED CASE (Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)		CASE NUMBER:
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: _____ Time: _____ Dept: _____ Div: _____ Room: _____ Address of court (if different from the address above): _____ <input type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): _____		

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): _____
 - 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): _____
 - 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, 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 date by which they may be served): _____
4. Description of case
 - a. Type of case in ☐ complaint ☐ cross-complaint (Describe, including causes of action): _____

1027860321-1-5

CM-110

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

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.)

☐ (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):
b. ☐ hours (short cases) (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. E-mail address:
f. Fax number:
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. ADR information package. Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.
(1) For parties represented by counsel: Counsel ☐ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.
(2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.
b. Referral to judicial arbitration or civil action mediation (if available).
(1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.
(2) ☐ 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.
(3) ☐ This case is exempt from judicial arbitration under rule 3.211 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (specify exemption):

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CM-110

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (check all that apply and provide the specified information):

	The party or parties completing this form are willing to participate in the following ADR processes (check all that apply):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (attach a copy of the parties' ADR stipulation):
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (specify):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

CM-110 Rev. July 1, 2011

CASE MANAGEMENT STATEMENT

Page 2 of 2

1082 860321-1-5

CM-110

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

17. 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 60-68 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 in this case:

18. Other issues

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

19. 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):

20. 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 alternative dispute resolution, 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:

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

EXHIBIT “B”

1 DAVID W. CHEN, ESQ. – State Bar No. 184071
2 STRATMAN, PATTERSON & HUNTER
3 Mailing Address
4 P.O. Box 258829, Oklahoma City, OK 73125-8829
5 Physical Address
6 505 14th Street, Suite 400
7 Oakland, CA 94612-1913
8 Phone: (510) 457-3440
9 Fax: (510) 238-8968

10 Attorney for Defendants,
11 RICHARD BEE AND CAROL BEE

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO**

KEITH MARTIN,

Plaintiff,

vs.

RICHARD BEE and CAROL BEE,

Defendants.

Case No.: CGC-14-543473
UNLIMITED JURISDICTION

**DEFENDANTS' REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendants, RICHARD BEE AND CAROL BEE

RESPONDING PARTY: Plaintiff, KEITH MARTIN

SET NUMBER: ONE

Defendants, RICHARD BEE AND CAROL BEE, request that within thirty (30) days from the date of service hereof, you answer the following requests for admission, pursuant to *Code of Civil Procedure* section 2033.010, et seq.

REQUESTS

1. Admit that defendant Richard Bee is not liable for your cause of action for Negligence.
2. Admit that defendant Carol Bee is not liable for your cause of action for Negligence.

1 3. Admit that defendant Richard Bee is not liable for your cause of action for Negligent
2 Entrustment.

3 4. Admit that defendant Richard Bee is not liable to you as the vehicle owner of the car operated by
4 Carol Bee.

5 5. Admit that defendant Richard Bee did not cause harm to you.

6 6. Admit that defendant Carol Bee did not cause harm to you.

7 7. Admit that you suffered on physical injury as a result of the accident with Carol Bee on January
8 3, 2013.

9 8. Admit that you suffered no pain as a result of the accident with Carol Bee on January 3, 2013.

10 9. Admit that you did not require any medical care as a result of the accident with Carol Bee on
11 January 3, 2013.

12 10. Admit that you suffered no harm as a result of the accident with Carol Bee on January 3, 2013.

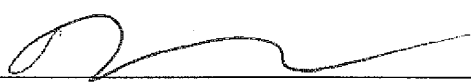
13 11. Admit that you did not suffer any wage loss as a result of the accident with Carol Bee on January
14 3, 2013.

15 12. Admit that you did not suffer any loss of income capacity as a result of the accident with Carol
16 Bee on January 3, 2013.

17
18 DATED: December 1, 2015

STRATMAN, PATTERSON & HUNTER

19
20
21 BY:



DAVID W. CHEN, ESQ.
Attorney for Defendants,
RICHARD BEE AND CAROL BEE

1 Re: Martin v. Bee, et al.
2 Case Number: CGC-14-543473

3 **PROOF OF SERVICE**
4 **Code of Civil Procedure §§ 1013a, 2015.5**

5 I am a resident of the State of California and over the age of eighteen years, and not a party to the
6 within action. My business address is 505 14th Street, Suite 400, Oakland, CA 94612-1913. On
7 December 1, 2015, I served the following document(s):

8 **REQUESTS FOR ADMISSION**

9 By placing the document(s) listed above in a sealed envelope, addressed as set forth
10 below, and placing the envelope for collection and mailing in the place designated for
11 such in our offices, following ordinary business practices.

12 By transmitting via facsimile the document(s) listed above to the fax number(s) set
13 forth below on this date before 5:00 p.m.

14 By causing a true copy thereof to be personally delivered to the person(s) at the
15 address(es) set forth below.

16 By electronically serving the document(s) described above via a Court approved File
17 & Serve vendor on those recipients designated on the Transaction Receipt located on
18 the vendor's Website.

19 By electronically serving the document(s) to the electronic mail address set forth
20 below on this date before 5:00 p.m. pursuant to the signed stipulation of the parties
21 and consistent with Code of Civil Procedure section 1010.6(a)(2).

22 **SEE ATTACHED SERVICE LIST**

23 I am readily familiar with the firm's practice of collection and processing correspondence for
24 mailing with the United States Postal Service. Under that practice, it would be deposited with U.S.
25 Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I
26 am aware that on motion of the party served, service is presumed invalid if postal cancellation date or
27 postage meter date is more than one day after date of deposit for mailing in affidavit.

28 I declare under penalty of perjury under the laws of the State of California that the above is true
and correct.

Executed on December 1, 2015, at Oakland, California.


DAVID WEI CHEN

1 Re: Martin v. Bee, et al.
2 Case Number: CGC-14-543473

3 SERVICE LIST

4 Keith Martin, in pro per
5 1208 Sir Francis Drake Blvd, #2
6 San Anselmo, CA 94960
7 Phone: (415) 637-7495
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EXHIBIT “C”

1 DAVID W. CHEN, ESQ. - State Bar No. 184071
2 **STRATMAN, PATTERSON & HUNTER**
3 Mailing Address
4 P.O. Box 258829, Oklahoma City, OK 73125-8829
5 Physical Address
6 505 14th Street, Suite 400
7 Oakland, CA 94612-1913
8 Phone: (510) 457-3440
9 Fax: (510) 238-8968

10 Attorney for Defendants,
11 **RICHARD BEE AND CAROL BEE**

ENDORSED
FILED
San Francisco County Superior Court

FEB - 4 2016

CLERK OF THE COURT
By: C. HILBERT
Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN FRANCISCO**

10 **KEITH MARTIN,**

11 Plaintiff,

12 vs.

13 **RICHARD BEE and CAROL BEE,**

14 Defendants.

Case No.: CGC-15-543473
UNLIMITED JURISDICTION

**ORDER TO COMPEL PLAINTIFF'S
ATTENDANCE AT DEPOSITION AND
REQUEST FOR REASONABLE SANCTIONS
AND ATTORNEY FEES**

15 Defendants' Motion to Compel Plaintiff's Attendance at Deposition and Request for Reasonable
16 Sanctions and Attorney's Fees was heard on February 4, 2016, by Judge Pro Tem James Fleming of the
17 above Court. After considering the papers on file herein, IT IS HEREBY ORDERED, as follows:

18 The motion is unopposed. Accordingly, Plaintiff Keith Martin is ordered to attend a deposition at
19 the offices of Stratman, Patterson & Hunter, 505 14th Street, Suite 400, Oakland, CA 94612-1913, on
20 February 8, 2016, at 9:00 am or on another mutually convenient date on or before February 14, 2016. In
21 addition, Plaintiff Keith Martin shall pay sanctions of \$587, representing attorneys' fees and court
22 reporter's fees and expenses incurred for Plaintiff Keith Martin's failure to appear at the previously
23 noticed deposition and reasonable attorneys' fees and costs incurred for making this motion, to Stratman,
24 Patterson & Hunter, counsel to defendants Richard Bee and Carol Bee, on or before February 24, 2016.

25 DATED: Feb 4, 2016

26 James H. Fleming
27 JUDGE OF THE SUPERIOR COURT
28 Temporary

1 DAVID W. CHEN, ESQ. – State Bar No. 184071
2 STRATMAN, PATTERSON & HUNTER
3 Mailing Address
4 P.O. Box 258829, Oklahoma City, OK 73125-8829
5 Physical Address
6 505 14th Street, Suite 400
7 Oakland, CA 94612-1913
8 Phone: (510) 457-3440
9 Fax: (510) 238-8968

10 Attorney for Defendants,
11 RICHARD BEE AND CAROL BEE

ENDORSED
FILED
San Francisco County Superior Court

FEB - 4 2016

CLERK OF THE COURT
By: D. HERBERT
Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN FRANCISCO**

10
11 KEITH MARTIN,

12 Plaintiff,

13 vs.

14 RICHARD BEE and CAROL BEE,

15 Defendants.
16
17

Case No.: CGC-15-543473
UNLIMITED JURISDICTION

**ORDER ESTABLISHING ADMISSIONS AND
FOR MONETARY SANCTION**

18 Defendants' Motion for Order Establishing Admissions and for Monetary Sanctions was heard
19 on February 4, 2016, by Judge Pro Tem James Fleming of the above Court.
20

21 After considering the papers on file herein, IT IS HEREBY ORDERED, as follows:

22 The motion is unopposed. Accordingly, the truth of each matter specified in the request for
23 admission served on Plaintiff Keith Martin on December 1, 2015 is hereby deemed admitted. In
24 addition, Plaintiff Keith Martin shall pay sanctions of \$300, representing reasonable attorneys' fees and
25 costs incurred for making this motion, to Stratman, Patterson & Hunter, counsel to defendants Richard
26 Bee and Carol Bee, on or before February 24, 2016. Counsel for moving party shall submit an order
27 consistent with the foregoing.
28

DATED: Feb 4, 2016

James A. Fleming
JUDGE OF THE SUPERIOR COURT
Tem Gray

EXHIBIT “D”

Scott Caple Stratman
Managing Attorney

Frederick A. Patterson
David E. Hunter III

John D. Hourihan
Edward J. Rodzewich
Robert M. Maltz

Law Offices of
STRATMAN, PATTERSON & HUNTER

Not a Partnership
Employees of Farmers Insurance Exchange,
a Member of the Farmers Insurance Group of Companies

Mailing Address
PO BOX 258829
Oklahoma City, OK, 73125-8829

Physical Address
505 14th Street, Suite 400
Oakland, CA 94612-1913

Telephone (510) 457-3440
Facsimile: (510) 238-8968

Please Reference Our File # in Your Correspondence
Documents Can be Sent to legaldocs@farmers.com

David W. Chen
Zachary Smith
Victoria E. Townsend
Sabrina M. Berdux
Nairi Paterson
P. Richard Colombatto
Ryan L. Kraft
Amy E. Bracher
Brennain J. Garber

February 4, 2016

Keith Martin
in Pro Per
1222 Sir Francis Drake Boulevard
San Anselmo, CA 94960-1760

Re: Martin v. Bee, et al.
Case No.: CGC-15-543473
Our File No.: 15-370008

Dear Mr. Martin:

The court today ordered your deposition to take place no later than February 14, 2016. To that end, I am going to offer February 10 at 1:30 p.m and February 11 at 1:30 p.m. The location will be 505 14th Street, suite 400, Oakland, CA 94806. If you do not get back to me by e-mail by the close of business on February 8, 2016, then I will set it for February 11, 2016 at 1:30 p.m.

Sincerely,



David W. Chen
Direct Line: (510) 457-3442
Cell: (510) 402-8918
Email: david.chen@farmersinsurance.com
DWC/dwc

1 DAVID W. CHEN, ESQ. - State Bar No. 184071
2 STRATMAN, PATTERSON & HUNTER
3 Mailing Address
4 P.O. Box 258829, Oklahoma City, OK 73125-8829
5 Physical Address
6 505 14th Street, Suite 400
7 Oakland, CA 94612-1913
8 Phone: (510) 457-3440
9 Fax: (510) 238-8968

10 Attorney for Defendants,
11 RICHARD BEE AND CAROL BEE

ENDORSED
FILED
San Francisco County Superior Court

FEB - 4 2016

CLERK OF THE COURT

By: D. HERBERT
Deputy Clerk

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN FRANCISCO**

10 KEITH MARTIN,

11 Plaintiff,

12 vs.

13 RICHARD BEE and CAROL BEE,

14 Defendants.

Case No.: CGC-15-543473
UNLIMITED JURISDICTION

**ORDER ESTABLISHING ADMISSIONS AND
FOR MONETARY SANCTION**

15 Defendants' Motion for Order Establishing Admissions and for Monetary Sanctions was heard
16 on February 4, 2016, by Judge Pro Tem James Fleming of the above Court.

17 After considering the papers on file herein, IT IS HEREBY ORDERED, as follows:

18 The motion is unopposed. Accordingly, the truth of each matter specified in the request for
19 admission served on Plaintiff Keith Martin on December 1, 2015 is hereby deemed admitted. In
20 addition, Plaintiff Keith Martin shall pay sanctions of \$300, representing reasonable attorneys' fees and
21 costs incurred for making this motion, to Stratman, Patterson & Hunter, counsel to defendants Richard
22 Bee and Carol Bee, on or before February 24, 2016. Counsel for moving party shall submit an order
23 consistent with the foregoing.
24
25
26
27
28

DATED: Feb 4, 2016

James A. Fleming
JUDGE OF THE SUPERIOR COURT

1 DAVID W. CHEN, ESQ. - State Bar No. 184071
2 STRATMAN, PATTERSON & HUNTER
3 Mailing Address
4 P.O. Box 258829, Oklahoma City, OK 73125-8829
5 Physical Address
6 505 14th Street, Suite 400
7 Oakland, CA 94612-1913
8 Phone: (510) 457-3440
9 Fax: (510) 238-8968

10 Attorney for Defendants,
11 RICHARD BEE AND CAROL BEE

ENDORSED
FILED
San Francisco County Superior Court

FEB - 4 2016

CLERK OF THE COURT
By: C. HERBERT
Deputy Clerk

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SAN FRANCISCO**

14 KEITH MARTIN,

15 Plaintiff,

16 vs.

17 RICHARD BEE and CAROL BEE,

18 Defendants.

Case No.: CGC-15-543473
UNLIMITED JURISDICTION

**ORDER TO COMPEL PLAINTIFF'S
ATTENDANCE AT DEPOSITION AND
REQUEST FOR REASONABLE SANCTIONS
AND ATTORNEY FEES**

19 Defendants' Motion to Compel Plaintiff's Attendance at Deposition and Request for Reasonable
20 Sanctions and Attorney's Fees was heard on February 4, 2016, by Judge Pro Tem James Fleming of the
21 above Court. After considering the papers on file herein, IT IS HEREBY ORDERED, as follows:

22 The motion is unopposed. Accordingly, Plaintiff Keith Martin is ordered to attend a deposition at
23 the offices of Stratman, Patterson & Hunter, 505 14th Street, Suite 400, Oakland, CA 94612-1913, on
24 February 8, 2016, at 9:00 am or on another mutually convenient date on or before February 14, 2016. In
25 addition, Plaintiff Keith Martin shall pay sanctions of \$587, representing attorneys' fees and court
26 reporter's fees and expenses incurred for Plaintiff Keith Martin's failure to appear at the previously
27 noticed deposition and reasonable attorneys' fees and costs incurred for making this motion, to Stratman,
28 Patterson & Hunter, counsel to defendants Richard Bee and Carol Bee, on or before February 24, 2016.

DATED: Feb 4, 2016

James H. Fleming
JUDGE OF THE SUPERIOR COURT
Tengrany

1 Re: Martin v. Bee, et al.
2 Case Number: CGC-15-543473

3 **PROOF OF SERVICE**
4 **Code of Civil Procedure §§ 1013a, 2015.5**

5 I am a resident of the State of California and over the age of eighteen years, and not a party to the
6 within action. My business address is 505 14th Street, Suite 400, Oakland, CA 94612-1913. On April
7 20, 2016, I served the following document(s):

8 **NOTICE OF LODGMENT OF EXHIBITS IN SUPPORT OF MOTION FOR**
9 **SUMMARY JUDGMENT BY DEFENDANTS RICHARD BEE AND CAROL**
10 **BEE and EXHIBITS A-D**

11 By placing the document(s) listed above in a sealed envelope, addressed as set forth
12 below, and placing the envelope for collection and mailing in the place designated for
13 such in our offices, following ordinary business practices.

14 By transmitting via facsimile the document(s) listed above to the fax number(s) set
15 forth below on this date before 5:00 p.m.

16 ☒ By causing a true copy thereof to be personally delivered to the person(s) at the
17 address(es) set forth below.

18 By electronically serving the document(s) described above via a Court approved File
19 & Serve vendor on those recipients designated on the Transaction Receipt located on
20 the vendor's Website.

21 By electronically serving the document(s) to the electronic mail address set forth
22 below on this date before 5:00 p.m. pursuant to the signed stipulation of the parties
23 and consistent with Code of Civil Procedure section 1010.6(a)(2).

24 **SEE ATTACHED SERVICE LIST**

25 I am readily familiar with the firm's practice of collection and processing correspondence for
26 mailing with the United States Postal Service. Under that practice, it would be deposited with U.S.
27 Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I
28 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 day after date of deposit for mailing in affidavit.

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

Executed on April 20, 2016, at Oakland, California.


LESLIE A. ENGELMEIER

1 Re: Martin v. Bee, et al.
2 Case Number: CGC-15-543473

3 **SERVICE LIST**

4 Charles A. Bonner, Esq.
5 Law Offices of Bonner & Bonner
6 475 Gate Five Road, Suite 212
7 Sausalito, CA 94965
8 Attorney for Plaintiff, Keith Martin
9 Phone: (415) 331-3070
10 Fax: (415) 331-2738
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