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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 BENNION & DEVILLE FINE
16 HOMES, INC., a California
17 corporation, BENNION & DEVILLE
18 FINE HOMES SOCAL, INC., a
19 California corporation, WINDERMERE
20 SERVICES SOUTHERN
21 CALIFORNIA, INC., a California
22 corporation,

23 Plaintiffs,

24 v.

25 WINDERMERE REAL ESTATE
26 SERVICES COMPANY, a Washington
27 corporation; and DOES 1-10

28 Defendant.

Case No. 5:15-CV-01921 R (KKx)

Hon. Manual L. Real

**DECLARATION OF KEVIN A.
ADAMS IN SUPPORT OF
PLAINTIFFS AND COUNTER-
DEFENDANTS' MOTION IN
LIMINE TO EXCLUDE EXHIBITS
AND OTHER EVIDENCE
CONCERNING LOANS TO
PLAINTIFFS FROM THIRD
PARTIES**

Date: May 1, 2017
Time: 10:00 a.m.
Courtroom: 880

Action Filed: September 17, 2015
Disc. Cut-Off: August 29, 2016
Pretrial Conf.: November 15, 2016
Trial: May 30, 2017

AND RELATED COUNTERCLAIMS

1 I, Kevin A. Adams, state as follows:

2 1. I am one of the attorneys of record for Plaintiffs/Counter-Defendants
3 Bennion & Deville Fine Homes, Inc., Bennion & Deville Fine Homes SoCal, Inc.,
4 Windermere Services Southern California, Inc., and Counter-Defendants Robert L.
5 Bennion and Joseph R. Deville (collectively, the “B&D Parties”) in the above-named
6 action. I am a member in good standing of the State Bar of California, and duly admitted
7 to practice law before all of the courts of the State of California, including the United
8 States District Court, Central District of California and the United States Court of
9 Appeals for the Ninth Circuit.

10 2. I make this Declaration in support of the B&D Parties motion in limine to
11 exclude exhibits and other evidence concerning parties to the B&D Parties from third
12 parties.

13 3. On September 12, 2016, the parties to this case filed a Proposed Pretrial
14 Conference Order wherein each party listed exhibits that they may potentially introduce
15 at trial. [Proposed Pretrial Conference Order, D.E. 57.] The Court approved a Final
16 Pretrial Conference Order on November 15, 2016. [Final Pretrial Conference Order, D.E.
17 79.]

18 4. Defendant and Counterclaimant Windermere Real Estate Services Company
19 (“WSC”) listed as proposed exhibits documents that relate to loans issued by third parties
20 to the B&D Parties. The loans were issued by Washington Loan Company, Inc.
21 (“WCL”), Carmed, LLC (“Carmed”), and JFF, LLC (“JFF”). True and correct copies of
22 the proposed exhibits relating to any WCL loan are attached hereto as **Exhibit A**. True
23 and correct copies of the proposed exhibits relating to any Carmed loan are attached
24 hereto as **Exhibit B**. True and correct copies of the proposed exhibits relating to any JFF
25 loan are attached hereto as **Exhibit C**. To the extent any of the listed proposed exhibits
26 are marked confidential pursuant to the protective order in this case, only a place holder
27 is submitted herewith. A copy of the confidential document will be provided at the
28 hearing.

1 I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct and that this Declaration was executed this 3rd day
3 of April, 2017 in Irvine, California.

4 /s/ Kevin A. Adams
5 Kevin A. Adams
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