

1 John D. Vaughn, State Bar No. 171801
Jeffrey A. Feasby, State Bar No. 208759
2 Christopher W. Rowlett, State Bar No. 257357
PEREZ VAUGHN & FEASBY Inc.
3 600 B Street, Suite 2100
San Diego, California 92101
4 Telephone: 619-702-8044
Facsimile: 619-460-0437
5 E-Mail: vaughn@pvflaw.com

6 Jeffrey L. Fillerup, State Bar No. 120543
Rincon Law LLP
7 90 New Montgomery St
Suite 1400
8 San Francisco, California 94105
Telephone: (415) 996-8199
9 Facsimile: (415) 996-8280
E-Mail: jfillerup@rinconlawllp.com

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11 Attorneys for Defendant and Counterclaimant
Windermere Real Estate Services Company
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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

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

19 Plaintiffs,

20 v.

21 WINDERMERE REAL ESTATE
22 SERVICES COMPANY, a Washington
corporation; and DOES 1-10

23 Defendant.
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27 AND RELATED COUNTERCLAIMS
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Case No. 5:15-CV-01921 R (KKx)

Hon. Manuel L. Real

**DEFENDANT AND
COUNTERCLAIMANT'S NOTICE
OF MOTION AND MOTION *IN
LIMINE* TO EXCLUDE EVIDENCE
RELATED TO ITS OFFER TO
PURCHASE PLAINTIFFS AND
COUNTER-DEFENDANTS**

[Motion *In Limine* No. 4 of 4]

Date: May 15, 2017

Time: 10:00 a.m.

Courtroom: 880

Complaint Filed: September 17, 2015

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 15, 2017, at 10:00 a.m., or as soon
3 thereafter as the matter may be heard before the Honorable Manuel L. Real of
4 United States District Court, Central District of California located at Roybal Federal
5 Building and U.S. Courthouse, 255 East Temple Street, Los Angeles, CA 90012,
6 Courtroom 880, 8th Floor, Defendant and Counterclaimant Windermere Real Estate
7 Services Company (“WSC”) will move the Court for an *in limine* order excluding
8 evidence of offers WSC and/or its principals’ made to purchase Plaintiffs Bennion
9 & Deville Fine Homes, Inc., Bennion & Deville Fine Homes SoCal, Inc.,
10 Windermere Services Southern California, Inc., and/or any of their related entitles,
11 including, but not limited to, Plaintiffs and Counter-Defendants’ proposed exhibits
12 249 and 250. This motion is made on the grounds that evidence related to any offer
13 by WSC or its principals to purchase Counter-Defendants is irrelevant and/or more
14 prejudicial than probative and should be excluded.

15 This motion is based on this notice, the memorandum of points and
16 authorities filed concurrently herewith, the matters of which this Court may be
17 requested to take judicial notice, and upon such other matters, whether written or
18 oral, as may be presented to the Court at or prior to the hearing on this motion.

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20 DATED: April 17, 2017 PEREZ VAUGHN & FEASBY INC.

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By: /s/ Jeffrey A. Feasby
John D. Vaughn
Jeffrey A. Feasby
Attorneys for
Windermere Real Estate Services Company