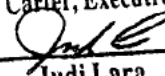


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7 Attorneys for Defendants
GALLERIA PARK PARTNERS, LLC,
8 DOUGLAS EMMETT 1996, LLC, and
DOUGLAS EMMETT MANAGEMENT, LLC
9

FILED
Superior Court of California
County of Los Angeles

MAR 25 2016

Sherri R. Carter, Executive Officer/Clerk
By  Deputy
Judi Lara

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES, CENTRAL DISTRICT
12

13 FACTS 'N FIGURES, INC., a California
corporation,

14 Plaintiff,

15 vs.

16 GALLERIA PARK PARTNERS, LLC,
17 a Delaware Limited Liability Company,
DOUGLAS EMMETT 1996, LLC, a
18 Delaware Limited Liability Company,
DOUGLAS EMMETT MANAGEMENT,
19 LLC, a Delaware Limited Liability
Company, and DOES 1 through 20,
20 inclusive,

21 Defendants.

CASE NO. BC 587876

**NOTICE OF RULING RE: MOTION
TO COMPEL PLAINTIFF FACTS 'N
FIGURES, INC.'S FURTHER
RESPONSES TO DEFENDANT
GALLERIA PARK PARTNERS, LLC'S
SPECIAL INTERROGATORIES (SET
ONE) AND MOTION
TO COMPEL PLAINTIFF FACTS 'N
FIGURES, INC.'S FURTHER
RESPONSES TO DEFENDANT
GALLERIA PARK PARTNERS, LLC'S
DEMAND FOR PRODUCTION OF
DOCUMENTS (SET ONE)**

Assigned to Hon. Terry A. Green, Dept. 14

Action Filed: July 13, 2015
Trial Date: March 27, 2017

24 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

25 **PLEASE TAKE NOTICE** that on March 24, 2016 at 8:45 a.m., Plaintiff Facts 'n Figures,
26 Inc. and Defendant Galleria Park Partners, LLC appeared before Judge Terry A. Green in
27 Department 14 of the Los Angeles County Superior Court located at 111 North Hill Street, Los
28 Angeles, California 90012, for hearings on Motion to Compel Plaintiff Facts 'n Figures, Inc.'s

03/20/2016

1 Further Responses to Defendant Galleria Park Partners, LLC's Special Interrogatories (Set
2 One) and Motion to Compel Plaintiff Facts 'n Figures, Inc.'s Further Responses to Defendant
3 Galleria Park Partners, LLC's Demand for Production of Documents (Set One).

4 Steven L. Martin, Esq. of the Law Offices of Steven L. Martin appeared on behalf of
5 Plaintiff Facts 'n Figures (hereinafter, "Plaintiff"). Tina H. Vo, Esq. of Murchison & Cumming,
6 LLP appeared on behalf of Defendant Galleria Park Partners, LLC (hereinafter, "Defendant").

7 As to the Motion to Compel Plaintiff Facts 'n Figures, Inc.'s Further Responses to
8 Defendant Galleria Park Partners, LLC's Special Interrogatories (Set One), the Court held as
9 follows:

10 1) The Motion to Compel is granted as to Special Interrogatory numbers 4 and 5
11 subject to the following modifications: Plaintiff is to provide the bases of its calculations of the
12 amounts of overcharges for electricity for the time period of October 2002 through August 2013
13 as alleged by Plaintiff.

14 2) The Motion to Compel is granted as to Special Interrogatory number 6 subject to
15 the following modifications: Plaintiff is to provide a list of who (including, but not limited to,
16 customers) has used its facility, which is located at Suite 500 of the Garden Office Building at
17 The Galleria in Sherman Oaks, California (hereinafter, "subject premises"); what they were
18 doing at the subject premises; and what they were testing at the subject premises from October
19 2002 through August 2013. Plaintiff is to provide a list of what electricity-consuming devices
20 Plaintiff has that were used at the subject premises from October 2002 through August 2013,
21 including, but not limited to, the devices Plaintiff has in storage. Plaintiff is also to provide any
22 information it has regarding the voltage, amperage, and wattage requirements of the electricity-
23 consuming devices Plaintiff has that were used at the subject premises from October 2002
24 through August 2013.

25 3) The Motion to Compel is granted as to Special Interrogatory number 7 subject to
26 the following modifications: Plaintiff is to identify all documents (including, but not limited to,
27 receipts and invoices), in its possession or that can be obtained through a reasonable and good
28 faith effort, that reflect the use of electricity-consuming devices at the subject premises from

02/20/2015

1 October 2002 through August 2013.

2 4) The Motion to Compel is granted as to Special Interrogatory number 8 subject to
3 the following modifications: Plaintiff is to provide its gross receipts for the period of October
4 2002 through August 2013. Plaintiff does not need to provide information regarding salaries
5 paid, taxes, and/or net income.

6 5) As to Special Interrogatory number 8, Plaintiff and Defendant agreed to a
7 protective order regarding the confidentiality of Plaintiff's financial information. The protective
8 order is granted by the Court. Plaintiff will prepare a proposed protective order to submit to the
9 Court.

10 6) The Court did not rule on Plaintiff's or Defendant's request for sanctions.

11 7) Plaintiff's counsel is to notify Defendant's counsel, by no later than March 25,
12 2016 at 3:47 p.m., of a date certain by which Plaintiff shall serve further responses to
13 Defendant's Special Interrogatory numbers 4, 5, 6, 7, and 8 as ordered by the Court.
14 Depending upon the amount of time Plaintiff may need to provide further responses to these
15 Special Interrogatories, the parties may have to continue the April 12, 2016 deposition of
16 Plaintiff and the May 18, 2016 mediation. In the event that the deposition and mediation need
17 to be continued, the parties will call and notify the Court that the mediation completion date of
18 June 15, 2016 will need to be continued to a later date.

19 8) Defendant is to give notice.

20 ///

21 As to the Motion to Compel Plaintiff Facts 'n Figures, Inc.'s Further Responses to
22 Defendant Galleria Park Partners, LLC's Demand for Production of Documents (Set One), the
23 Court held as follows:

24 1) The Motion to Compel as to Demand for Production number 4 is now moot so the
25 Court did not rule on this request.

26 2) The Motion to Compel is granted as to Demand for Production numbers 6 and 7
27 subject to the following modifications: Plaintiff is to produce all documents (including, but not
28 limited to, invoices, bills to customers, purchase documents for equipment, and

02/26/2016

1 installation/instruction manuals), in its possession (including, but not limited to, documents
2 Plaintiff has received from its customers), that identify all electricity-consuming devices used at
3 the subject premises from October 2002 to July 13, 2015 (the day the Complaint in the instant
4 action was filed). Plaintiff is also to produce all documents, in its possession (including, but not
5 limited to, documents Plaintiff has received from its customers), that reflect how much (*i.e.*, the
6 amount of time) the electricity-consuming devices were used on a daily basis from October
7 2002 to July 13, 2015.

8 3) The Motion to Compel is granted as to Demand for Production number 11 subject
9 to the following modifications: Plaintiff is to produce its gross receipts for the period of October
10 2002 through the present.

11 4) The Motion to Compel is denied as to Demand for Production number 12.

12 5) The Court did not rule on Plaintiff's or Defendant's request for sanctions.

13 6) Plaintiff's counsel is to notify Defendant's counsel, by no later than March 25,
14 2016 at 3:47 p.m., of a date certain by which Plaintiff shall serve further responses to
15 Defendant's Demand for Production numbers 6, 7, and 11 as ordered by the Court. Depending
16 upon the amount of time Plaintiff may need to provide further responses to these Demands for
17 Production, the parties may have to continue the April 12, 2016 deposition of Plaintiff and the
18 May 18, 2016 mediation. In the event that the deposition and mediation need to be continued,
19 the parties will call and notify the Court that the mediation completion date of June 15, 2016 will
20 need to be continued to a later date.

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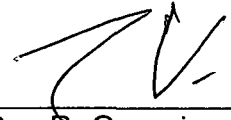
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1 7) Defendant is to give notice.

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DATED: March 24, 2016

MURCHISON & CUMMING, LLP

By: 

Guy R. Gruppie
James S. Williams
Tina H. Vo
Attorneys for Defendants GALLERIA PARK
PARTNERS, LLC, DOUGLAS EMMETT
1996, LLC, and DOUGLAS EMMETT
MANAGEMENT, LLC

03/29/2016

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 South Grand Avenue, Ninth Floor, Los Angeles, California 90017-4613.

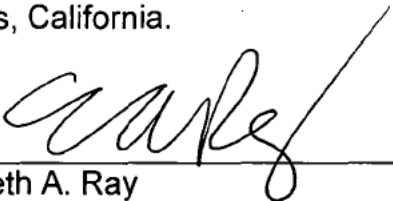
On March 25, 2016, I served true copies of the following document(s) described as **NOTICE OF RULING RE: MOTION TO COMPEL PLAINTIFF FACTS 'N FIGURES, INC.'S FURTHER RESPONSES TO DEFENDANT GALLERIA PARK PARTNERS, LLC'S SPECIAL INTERROGATORIES (SET ONE) AND MOTION; TO COMPEL PLAINTIFF FACTS 'N FIGURES, INC.'S FURTHER RESPONSES TO DEFENDANT GALLERIA PARK PARTNERS, LLC'S DEMAND FOR PRODUCTION OF DOCUMENTS (SET ONE)** on the interested parties in this action as follows:

SEE ATTACHED LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Murchison & Cumming's practice for collecting and processing correspondence for mailing. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one business day after the date of deposit for mailing in this declaration.

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

Executed on March 25, 2016, at Los Angeles, California.



Elizabeth A. Ray

03/29/2016

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SERVICE LIST
Facts 'N Figures, Inc. v. Galleria Park Partners, LLC

Steven L. Martin, Esq.
Law Offices of Steven L. Martin
11900 West Olympic Boulevard
Suite 700
Los Angeles, CA 90064
Telephone: 310-479-2345
Facsimile: 310-479-2346

Attorney for Plaintiff, Facts 'N Figures, Inc.

03/20/2018