

FILED  
CLERK'S DIVISION  
10 AUG -4 PM 2:35  
CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

1 BARRY B. LANGBERG (State Bar No. 48158)  
2 MITCHELL J. LANGBERG (State Bar No. 171912)  
3 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
2029 Century Park East, Suite 2100  
4 Los Angeles, CA 90067  
Telephone: (310) 500-4600  
Facsimile: (310) 500-4602

5 Attorneys for Plaintiff  
6 DANIEL M. MEYERS

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN DIEGO**

10  
11 DANIEL M. MEYERS

12 Plaintiff,

13 vs.

14 SCOT TEMPESTA, an individual, ALAN  
15 BLOCK, an individual, SAILING  
ANARCHY, INC., a California corporation  
16 and DOES 1 THROUGH 10,

17 Defendants

Case No.  
**37-2010-00057972-CU-DF-NC**  
Assigned To:

**COMPLAINT FOR**

- 1. **LIBEL**
- 2. **SLANDER**
- 3. **LIBEL**

OK

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
2029 Century Park East, Suite 2100  
Los Angeles, CA 90067

18  
19 Plaintiff, DANIEL M. MEYERS, by and through his undersigned counsel of record,  
20 respectfully states his Complaint against SCOT TEMPESTA, ALAN BLOCK, SAILING  
21 ANARCHY, INC., as follows:

22 **THE PARTIES**

- 23 1. Plaintiff Daniel M. Meyers ("Meyers") is an individual residing in the state of  
24 Massachusetts.
- 25 2. Defendant Scot Tempesta ("Tempesta") is, and at all times mentioned herein was,  
26 an individual domiciled and residing in San Diego County, California.



1 alleged herein - - an effort to persuade the public and certain individuals that Meyers is a con artist  
2 who has stolen millions of dollars from people - - was only the most recent attack.

3 11. Meyers is the Chief Executive Officer of a publically traded company with market  
4 capitalization in excess of \$250 million.

5 12. Meyers success and notoriety is not limited to the business world. He also serves  
6 on the Board of the Curry School of Education at the University of Virginia and is a member of  
7 both the International Institute for Strategic Studies and the Forum for the Future of Higher  
8 Education. He is a member of the board of a New England hospital group which operates six  
9 hospitals.

10 13. Beyond spending his time running a large company and donating a substantial  
11 amount of time to charitable organizations for the benefit of the public, Meyers has shared some of  
12 the fruits of his financial success for charitable purposes, including donating many millions of  
13 dollars for the cause of education.

14 14. In the free time not occupied by running a large company or serving on boards that  
15 serve the public's interest, Meyers enjoys the sport of sailing. Indeed, he is a sailing enthusiast  
16 who commits a significant amount of his time and resources for no other reason than his love of  
17 the sport.

18 15. Apparently, something about Meyers' passion for the sport of sailing, commitment  
19 to projects designed to serve the public interest and/or business and financial success drew the  
20 attention and ire of Tempesta, Block and Sailing Anarchy, Inc.

21 16. Sailinganarchy.com is the self-proclaimed "largest sailing site on the net."

22 17. With the claim of being the "largest sailing site on the net," one might expect that  
23 the website is a source of information and legitimate news regarding the sport of sailing. To the  
24 contrary, sailinganarcy.com is the National Enquirer of the sailing world.

25 18. As is the case with traditional tabloid journalism at its worst, the thrust of the  
26 information posted on sailinganarchy.com consists of sensationalized, attacking and defamatory  
27 "stories" about people in the sailing world. These stories are focused on personal attacks of sailors  
28 and their families (including young children), revelation of confidential information, efforts to

1 embarrass sailors and their families and other types of distasteful information that has little, if  
2 anything, to do with the sport of sailing.

3 19. Tempesta, Block and Sailing Anarchy, Inc. have published such information on  
4 sailinganarchy.com with no regard for the harm to reputation, hurt, embarrassment and discomfort  
5 it causes. Though a far cry from any objective definition of responsible journalism, Tempesta,  
6 Block and Sailing Anarchy have faced few challenges to their improper behavior.

7 20. Yet, now, they have gone too far. In conscious disregard for Meyers' rights and  
8 knowing the falsity of the information, Defendants have engaged in a campaign of making false  
9 and defamatory statements about Meyers.

10 21. On or about August 21, 2009, Defendants published a photograph with a caption in  
11 which they referred to Myers as a "grifter" (the "First Defamatory Statement").

12 22. In making the First Defamatory Statement, Defendants intended readers to  
13 understand the term "grifter" by its ordinary dictionary definition: "a con artist, swindler, dishonest  
14 gambler or the like," and readers did, in fact, understand the term in that manner.

15 23. Had there been any doubt about what Defendants meant by the term "grifter," such  
16 doubt was fully dispelled when, in or around August or September, 2010, Tempesta, a member of  
17 the San Diego Yacht Club, had a conversation with another club member named Drew Freides  
18 ("Freides"). Having read the "grifter" statement, Freides asked Tempesta why he called Meyers a  
19 "grifter."

20 24. In response, Tempesta stated that Meyers was a "white collar criminal" and that he  
21 had "stolen millions of dollars" in his business operations. (the "Second Defamatory Statement").

22 25. Were that not enough, on or around August 21, 2010, Tempesta exchanged email  
23 communications with a woman named Marian Martin in which he stated that Meyers is "a white  
24 collar criminal who stole millions." (the "Third Defamatory Statement").

25 26. In truth and in fact, Myers is not a grifter or a white collar criminal and has never  
26 stolen anything, let alone millions of dollars.

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**FIRST CLAIM FOR RELIEF**

(Libel – Against All Defendants)

27. Plaintiff realleges and reincorporates by reference each and every allegation contained in Paragraphs 1 through 26 above.

28. At the time that Defendants published the First Defamatory Statement, Defendants did so negligently, because they had no reasonable basis for believing that the First Defamatory Statement was true and, had they acted reasonably, they would have known or learned that it was false.

29. Further, Plaintiff is informed and believes, and thereon alleges, that at the time Defendants made the First Defamatory Statement, they knew that the statement was false and/or published that statement with reckless disregard for truth in that Defendants had serious doubt as to the truth of the First Defamatory Statement.

30. Reasonable readers of sailinganarchy.com, and of the republications of the First Defamatory Statement on other websites, understood the First Defamatory Statement to mean that Meyers was a swindler - - someone who obtains money or property by fraud or deceit and Defendants intended readers to have that understanding.

31. Defendants statements, and the defamatory implications reasonably conveyed by them, are defamatory per se in that they falsely described Meyers as engaging in illegal conduct.

32. The publication of the First Defamatory Statement exposed Meyers to contempt, ridicule, hatred, and obloquy.

33. As a direct and proximate result of the publication of the false statements by Defendants, Meyers has suffered damage to his reputation and emotional distress in amounts to be proven at trial, but not less than the jurisdictional minimum of this Court.

34. Plaintiff is informed and believes and thereon alleges that Defendants' conduct was intentional and done willfully, maliciously, with ill will toward Meyers and with conscious disregard for the rights of Meyers, justifying an award of exemplary and punitive damages.

**SECOND CLAIM FOR RELIEF**

(Slander – Against Tempesta and Sailing Anarchy)

35. Plaintiff realleges and reincorporates by reference each and every allegation contained in Paragraphs 1 through 34 above.

36. At the time that Tempesta and Sailing Anarchy made the Second Defamatory Statement, they did so negligently, because they had no reasonable basis for believing that the Second Defamatory Statement was true and, had they acted reasonably, they would have known or learned that it was false.

37. Further, Plaintiff is informed and believes, and thereon alleges, that at the time Tempesta and Sailing Anarchy made the Second Defamatory Statement, they knew that the statement was false and/or published that statement with reckless disregard for truth in that Defendants had serious doubt as to the truth of the Second Defamatory Statement.

38. Such statement was defamatory per se in that it falsely described Meyers as engaging in illegal conduct.

39. The publication of the Second Defamatory Statements exposed Meyers to contempt, ridicule, hatred, and obloquy.

40. As a direct and proximate result of the publication of the false statements, Meyers has suffered damage to his reputation and emotional distress in amounts to be proven at trial, but not less than the jurisdictional minimum of this Court.

41. Plaintiff is informed and believes and thereon alleges that Tempesta and Sailing Anarchy's conduct was intentional and done willfully, maliciously, with ill will toward Meyers and with conscious disregard for the rights of Meyers, justifying an award of exemplary and punitive damages.

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Los Angeles, CA 90067

**THIRD CLAIM FOR RELIEF**

(Libel – Against Tempesta and Sailing Anarchy)

42. Plaintiff realleges and reincorporates by reference each and every allegation contained in Paragraphs 1 through 41, above.

43. At the time that Tempesta and Sailing Anarchy made the Third Defamatory Statement, they did so negligently, because they had no reasonable basis for believing that the Third Defamatory Statement was true and, had they acted reasonably, they would have known or learned that it was false.

44. Further, Plaintiff is informed and believes, and thereon alleges, that at the time Tempesta and Sailing Anarchy made the Third Defamatory Statement, they knew that the statement was false and/or published that statement with reckless disregard for truth in that they had serious doubt as to the truth of the Third Defamatory Statement.

45. The statement was defamatory per se in that it falsely describe Meyers as engaging in illegal conduct.

46. The publication of the Third Defamatory Statements exposed Meyers to contempt, ridicule, hatred, and obloquy.

47. As a direct and proximate result of the publication of the false statements by Tempesta and Sailing Anarchy, Meyers has suffered damage to his reputation and emotional distress in amounts to be proven at trial, but not less than the jurisdictional minimum of this Court.

48. Plaintiff is informed and believes and thereon alleges that Tempesta and Sailing Anarchy's conduct was intentional and done willfully, maliciously, with ill will toward Meyers and with conscious disregard for the rights of Meyers, justifying an award of exemplary and punitive damages.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

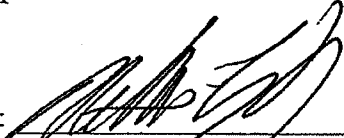
1. For general damages in an amount to be proven at trial;
2. For special damages in an amount to be proven at trial;

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- 3. For punitive damages in an amount to be proven at trial;
- 4. For costs of suit incurred herein; and
- 5. For such other and further relief as the Court deems just and proper.

Dated: August 4, 2010

BROWNSTEIN HYATT FARBER SCHRECK,  
LLP

By:   
BARRY B. LANGBERG  
MITCHELL J. LANGBERG  
Attorneys for Plaintiff  
DANIEL M. MEYERS

BROWNSTEIN HYATT FARBER SCHRECK, LLP  
2029 Century Park East, Suite 2100  
Los Angeles, CA 90067



<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b>	
STREET ADDRESS: 325 S. Melrose	
MAILING ADDRESS: 325 S. Melrose	
CITY AND ZIP CODE: Vista, CA 92081	
BRANCH NAME: North County	
TELEPHONE NUMBER: (760) 201-8028	
PLAINTIFF(S) / PETITIONER(S): Daniel M. Meyers	
DEFENDANT(S) / RESPONDENT(S): Scot Tempesta et.al.	
MEYERS VS. TEMPESTA	
<b>NOTICE OF CASE ASSIGNMENT</b>	CASE NUMBER: 37-2010-00057972-CU-DF-NC

Judge: Earl H. Maas, III

Department: N-28

**COMPLAINT/PETITION FILED:** 08/04/2010

**CASES ASSIGNED TO THE PROBATE DIVISION ARE NOT REQUIRED TO COMPLY WITH THE CIVIL REQUIREMENTS LISTED BELOW**

IT IS THE DUTY OF EACH PLAINTIFF (AND CROSS-COMPLAINANT) TO SERVE A COPY OF THIS NOTICE WITH THE COMPLAINT (AND CROSS-COMPLAINT).

ALL COUNSEL WILL BE EXPECTED TO BE FAMILIAR WITH SUPERIOR COURT RULES WHICH HAVE BEEN PUBLISHED AS DIVISION II, AND WILL BE STRICTLY ENFORCED.

**TIME STANDARDS:** The following timeframes apply to general civil cases and must be adhered to unless you have requested and been granted an extension of time. General civil consists of all cases except: Small claims appeals, petitions, and unlawful detainers.

**COMPLAINTS:** Complaints must be served on all named defendants, and a CERTIFICATE OF SERVICE (SDSC CIV-345) filed within 60 days of filing. This is a mandatory document and may not be substituted by the filing of any other document.

**DEFENDANT'S APPEARANCE:** Defendant must generally appear within 30 days of service of the complaint. (Plaintiff may stipulate to no more than a 15 day extension which must be in writing and filed with the Court.)

**DEFAULT:** If the defendant has not generally appeared and no extension has been granted, the plaintiff must request default within 45 days of the filing of the Certificate of Service.

THE COURT ENCOURAGES YOU TO CONSIDER UTILIZING VARIOUS ALTERNATIVES TO LITIGATION, INCLUDING MEDIATION AND ARBITRATION, PRIOR TO THE CASE MANAGEMENT CONFERENCE. MEDIATION SERVICES ARE AVAILABLE UNDER THE DISPUTE RESOLUTION PROGRAMS ACT AND OTHER PROVIDERS. SEE ADR INFORMATION PACKET AND STIPULATION.

YOU MAY ALSO BE ORDERED TO PARTICIPATE IN ARBITRATION PURSUANT TO CCP 1141.10 AT THE CASE MANAGEMENT CONFERENCE. THE FEE FOR THESE SERVICES WILL BE PAID BY THE COURT IF ALL PARTIES HAVE APPEARED IN THE CASE AND THE COURT ORDERS THE CASE TO ARBITRATION PURSUANT TO CCP 1141.10. THE CASE MANAGEMENT CONFERENCE WILL BE CANCELLED IF YOU FILE FORM SDSC CIV-359 PRIOR TO THAT HEARING

**SUMMONS  
(CITACION JUDICIAL)**

SUM-100

**NOTICE TO DEFENDANT:** SCOT TEMPESTA, an individual, ALAN  
**(AVISO AL DEMANDADO):** BLOCK, an individual, SAILING ANARCHY,  
INC., a California corporation and DOES 1 THROUGH 10,

**FILED**  
FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)  
10 AUG -4 PM 2: 35  
CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):  
DANIEL M. MEYERS**

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es):

SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
325 South Melrose  
Vista, California 92081

CASE NUMBER:  
(Número de Caso) **37-2010-00057972-CU-DF-NC**

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
BARRY B. LANGBERG (45158)/MITCHELL J. LANGBERG (171912) 310-500-4600  
BROWNSTEIN HYATT FARBER SCHRECK LLP  
2029 Century Park East, Suite 2100  
Los Angeles, California 90067

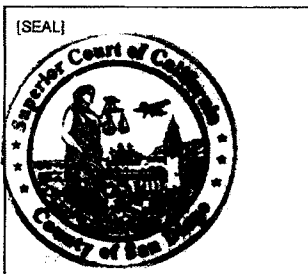
DATE: **AUG 04 2010**  
(Fecha)

Clerk, by *I. Plasencia*, Deputy  
(Secretario) I. Plasencia (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

**NOTICE TO THE PERSON SERVED:** You are served

- 1.  as an individual defendant.
- 2.  as the person sued under the fictitious name of (specify):
- 3.  on behalf of (specify):  
under:  CCP 416.10 (corporation)  CCP 416.60 (minor)  
 CCP 416.20 (defunct corporation)  CCP 416.70 (conservatee)  
 CCP 416.40 (association or partnership)  CCP 416.90 (authorized person)  
 other (specify):
- 4.  by personal delivery on (date):



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Barry B. Langberg (45158)/Mitchell J. Langberg (171912)  
BROWNSTEIN HYATT FARBER SCHRECK LLP  
2029 Century Park East, Suite 2100  
Los Angeles, California 90067

TELEPHONE NO.: 310-500-4600 FAX NO.: 310-500-4602  
ATTORNEY FOR (Name): Plaintiff Daniel M. Meyers

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
STREET ADDRESS: 325 South Melrose  
MAILING ADDRESS:  
CITY AND ZIP CODE: San Diego, California 92081  
BRANCH NAME: North

CASE NAME: DANIEL M. MEYERS v. SCOT TEMPESTA, etc., et al.

FOR COURT USE ONLY  
10 AUG -4 PM 2:35  
CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

CIVIL CASE COVER SHEET  
 Unlimited (Amount demanded exceeds \$25,000)  Limited (Amount demanded is \$25,000 or less)

Complex Case Designation  
 Counter  Joinder  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: 07-2010-00057972-CU-DF-NC

JUDGE:  
DEPT:

Items 1-6 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<br><input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46)  | <input type="checkbox"/> Other employment (15)  | <input type="checkbox"/> Other judicial review (39)   |
| <input type="checkbox"/> Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort<br><input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other PI/PD/WD (23)   | <input type="checkbox"/> Contract<br><input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37) | <input type="checkbox"/> Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)<br><input type="checkbox"/> Antitrust/Trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input type="checkbox"/> Environmental/Toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) |
| <input type="checkbox"/> Non-PI/PD/WD (Other) Tort<br><input type="checkbox"/> Business tort/unfair business practice (07)<br><input type="checkbox"/> Civil rights (08)<br><input checked="" type="checkbox"/> Defamation (13)<br><input type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-PI/PD/WD tort (35) | <input type="checkbox"/> Real Property<br><input type="checkbox"/> Eminent domain/Inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26)   | <input type="checkbox"/> Enforcement of Judgment<br><input type="checkbox"/> Enforcement of judgment (20)   |
| <input type="checkbox"/> Employment<br><input type="checkbox"/> Wrongful termination (36)   | <input type="checkbox"/> Unlawful Detainer<br><input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38)  | <input type="checkbox"/> Miscellaneous Civil Complaint<br><input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42)   |
|   | <input type="checkbox"/> Judicial Review<br><input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)   | <input type="checkbox"/> Miscellaneous Civil Petition<br><input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> Other petition (not specified above) (43)   |

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:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |

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

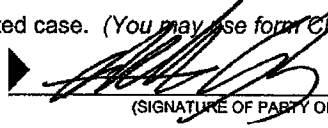
4. Number of causes of action (specify): 3

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-015.)

Date: August 4, 2010  
Mitchell J. Langberg

(TYPE OR PRINT NAME)

  
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**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 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.  
• Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.