



Superior Court

San Diego County, State of California

The following is a TENTATIVE ruling for 10/8/2004,
Department 66, the Honorable Charles R. Hayes presiding.

Case Number gic821191

RULING AFTER ORAL ARGUMENT: Defendant City of San Diego's Motion for Leave to File a 1st Amended Cross-Complaint; the Opposition filed thereto; and the Court's September 24, 2004 Tentative Ruling came regularly on for oral argument on September 24, 2004 and were taken under submission by the Honorable Charles R. Hayes, Judge Presiding in Department 66.

The Court having read and considered Defendant City of San Diego's Motion for Leave to File a 1st Amended Cross-Complaint; the Opposition filed thereto; and the arguments presented by the Parties, hereby modifies the September 24, 2004 Tentative Ruling as follows:

1. Defendant City of San Diego's Motion for Leave to file a First Amended Cross-Complaint is granted.
2. The Court hereby orders a stay of the First Amended Cross-Complaint as to all Cross-Defendants except De Anza Cove Homeowners Association, De Anza Harbor Resort and Golf, Terra Vista Management Co., Inc. and Michael Gelfand until further order of the Court.
3. Cross-Complainant City of San Diego shall forthwith file with this Court the First Amended Cross-Complaint.
4. Cross-Complainant City of San Diego shall serve a copy of this Order along with the Summons and Complaint upon De Anza Cove Homeowners Association, De Anza Harbor Resort and Golf, Terra Vista Management Co., Inc. and Michael Gelfand within 10 Court days of this order.
5. The Court hereby sets a status conference in this matter on December 10, 2004 at 10:15 am.

IT IS SO ORDERED.

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