

THE LISTINGS

THE WEEK'S SALES, LEASES, LOANS, NOTICES OF DEFAULT AND UPCOMING INDUSTRY EVENTS

daily deals

Financings, sales and leases from
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Compiled by Carla Pineda. Deals are listed in order of
dollar amount, then square footage.

MULTIFAMILY

VALLEY VILLAGE — A 54-unit apartment property at 5717 Laurel Canyon Blvd. traded hands for \$9.75 million. Jeffrey Louks of **Marcus & Millichap Real Estate Investment Services** and Vince Norris of **Hendricks & Partners** represented the seller.

SHERMAN OAKS — A two-building multifamily portfolio totaling 80 units traded hands for \$9.5 million. Hirsch Sherman of **Re/Max Commercial** represented the seller, while Jared Levine, also of **Re/Max**, represented the lessee.

NORTH HOLLYWOOD — H K Properties purchased a 24-unit apartment complex at 12717-33 Barbara Ann St. for \$3.2 million from Trion Properties II LLC. Rick Raymundo of **Marcus & Millichap Real Estate Investment Services** represented both parties.

PANORAMA CITY — A 19-unit apartment property at 8919 Willis Ave. sold for \$2.1 million. Jason Flashman of **Marcus & Millichap Real Estate Investment Services** represented the buyer and seller.

OFFICE

HARBOR CITY — A 35,675-square-foot office property at 1403 W. Lomita Blvd. traded hands for \$4.05 million. Gregory Harris of **Marcus & Millichap Real Estate Investment Services** represented the buyer.

IRVINE — Nexus IS signed a five-year, \$1.2 million lease for 13,963 square feet of office space at 1733 Alton Parkway from Legacy Partners. Brian Garbutt of **Lee & Associates** represented the landlord, while Gary McArdell of **Grubb & Ellis** represented the tenant.

LA MESA — Tigor Title Insurance Co. signed a 42-month, \$277,000 lease for 3,080 square feet of office space in Allied Office Plaza at 7777 Alvarado Road from Allied Office Plaza Inc. Kyle Clark, Kipp Gstettenbauer and Matt Davis of **Cushman & Wakefield** represented the lessor, while Kurt M. Klug represented the lessee.

SAN FRANCISCO — Workshare Technology leased 15,812 square feet of office space at 208 Utah St. from LUI SF 2008 Utah. Marc Trovato, John Norton and Jonathan Allen of **Cornish & Carey Commercial** represented the lessee.

DUBLIN — Hope Hospice leased 14,850 square feet of office space at 6377 Clark Ave. from Sleepy Hollow Investment Co. Marcy Place and Dan Watson of **Cornish & Carey Commercial** represented the lessee.

SAN RAFAEL — Sanitary District No. 1 of Marin County purchased a 7,414-square-foot office property at 2960 Kemer Blvd. from Triple J Partnership. George Wagner and Vesa Becam of **Keegan & Coppin Co. Inc.** represented the lessor, while Michale Sharapata of **Jones Lang LaSalle** represented the lessee.

SAN DIEGO — Black & Veatch signed a three-year lease renewal for 3,580 square feet of office

space in the Willow Creek Plaza at 9820 Willow Creek Road from The Currie Partners. James Laing and Jennifer Gallivan of **Cushman & Wakefield** represented the lessor, while Brian Ffrench of **Studley Inc.** represented the lessee.

SAN DIEGO — Cush Enterprises signed a 37-month lease renewal for 2,619 square feet of office space in the Willow Creek Plaza at 9820 Willow Creek Road from The Currie Partners. James Laing and Jennifer Gallivan of **Cushman & Wakefield** represented the lessor, while the lessee represented itself.

SANTA BARBARA — Mark C. McDade leased 1,859 square feet of office space at 1525 State St. Dan Moll of **Hayes Commercial** represented the lessor, while Gene Deering, Bob Tuler and Paul Gamberdella of **Radius Group** represented the lessee.

SANTA ROSA — Mawson Computers expanded its lease at 350 College Ave. for an additional 1,500 square feet of office space from 350 College Partnership. Carlos Rivas of **Colliers International** represented the lessor, while Brian Keegan and Beau Southwell of **Keegan & Coppin Co. Inc.** represented the lessee.

FRESNO — Wells Fargo Bank NA leased 1,365 square feet of office space at 8469 N. Millbrook from Akeyson Associates LP. Scott Christensen, Denver Butler and Jim Graham of **Grubb & Ellis | Pearson Commercial** represented both parties.

HANFORD — HOF Ministries leased 1,200 square feet of office space at 101 N. Irwin St. Mark Guilliani of **Grubb & Ellis | Pearson Commercial** represented both parties.

SANTA ROSA — Compassionate Healing Alliance of Doctors leased 1,000 square feet of office space at 44 Doctors Park Drive from Jerry Connell. Denis Plehn of **Orion Partners** represented the lessor, while Kevin Doran of **Keegan & Coppin Co. Inc.** represented the lessee.

FRESNO — Mesa Verde Trading Co. Inc. leased 633 square feet of office space at 4545 N. West Ave. from AMCAL Fresno Fund LLC. Jim Graham of **Grubb & Ellis | Pearson Commercial** represented both parties.

SANTA ROSA — Barbara Kreig leased 256 square feet of office space at 100 E. St. from LaFranchi Development. Dough Braik of **Keegan & Coppin Co. Inc.** represented the lessor, while Beau Southwell, also of **Keegan & Coppin**, represented the lessee.

ROSS — Rod Teeple leased 183 square feet of office space at 27 Ross Common from Sonia Badalamenti. Matt Storms of **Keegan & Coppin Co. Inc.** represented both parties.

SAN RAFAEL — Patrick Whisler leased 167 square feet of office space at 101 Lucas Valley Road from FJM Lucas Valley Association LP. Theo Banks, Nathan Ballard and Matt Storms of **Keegan & Coppin Co. Inc.** represented both parties.

SAN FRANCISCO — Recurrent Energy signed a three-year lease for office space at 300 California St. Brian Beswick of **CB Richard Ellis** represented the tenant.

RETAIL

LOMA LINDA — Downtown Gateway purchased a 15,000-square-foot Fresh & Easy Neighborhood Market at 25694 Redlands Blvd. for \$2.9 million from MV Investors. Edward B. Hanley of **Hanley Investment Group Real Estate Advisors** represented both parties.

VICTORVILLE — A family trust fulfilled a 1031 exchange requirement with the purchase of a 21,050-square-foot, two-tenant retail property at 14828-14850 7th St. for \$2.55 million from Palm Mojave Properties. Jeremy McChesney of **Hanley Investment Group Real Estate Advisors** represented the seller, while Mark Esbensen of **Grubb & Ellis/WesMar** represented the buyer.

HUNTINGTON BEACH — David and Diana Bonadonna sold the Shore House Café, a 5,690-square-foot restaurant at 520 Main St., for \$1.8 million. Phil Voorhees, Patrick Toomey and Megan Read of **CB Richard Ellis** represented the seller.

SAN DIEGO — 7-Eleven Inc. signed a 10-year, \$915,000 lease for 2,500 square feet of retail space in Glasshouse Square at 3146-3156 Sports Arena Blvd. from Glasshouse Square LLC. Kipp Gstettenbauer and Kyle Clark of **Cushman & Wakefield** represented the lessor, while Lin Martin of **Grubb & Ellis | BRE Commercial** represented the lessee.

SAN JOSE — Robinson Oil Co. purchased a 0.46-acre property at 1069 Saratoga Ave. for \$862,500 from McDonald's Corp. Larry Dorsey of **Terranomics Retail Services** represented both parties.

OCEANSIDE — Mark and Mahmoud Amini signed a 10-year, \$763,000 lease for 4,700 square feet of retail space at 1220 S. Coast Highway from Steve Knight. Rusty Williams with **Lee & Associates-North San Diego County** represented both parties.

SAN DIEGO — Floyd's 99 Barbershop signed a 10-year, \$570,000 lease for 1,415 square feet of retail space at 800 Market St. Tigg Mitchell of **Douglas Wilson Investments** represented the lessor, while Eric Myers of **Lee & Associates** represented the tenant.

SAN DIEGO — Barry's Bootcamp signed a 63-month, \$272,241 lease for 1,708 square feet of retail space in the Uptown District Shopping Center at 940-1092 University Ave. from West Coast Uptown Partners LP. Kyle Clark and Kipp Gstettenbauer of **Cushman & Wakefield** represented both parties.

SAN DIEGO — CitiFinancial Services Inc. signed a five-year, \$252,000 lease for 1,608 square feet of retail space in Hawthorne Crossings at 8055 Armour St. from American Fund US Investments LP. John Jennings and Aaron Hill of the **Cushman & Wakefield** represented the lessor, while the lessee represented itself.

SAN MARCOS — Greg and Ashley Gray, doing business as If Hair Studio, signed a five-year, \$221,000 lease for 1,307 square feet of retail space in Grand Plaza at 101-197 Las Posas Road from Grand Plaza LLC. Nick Alford and Bryan Cunningham of the **Cushman & Wakefield** represented the lessor, while the lessees represented themselves.

SAN DIEGO — The Louis Corporation, doing business as Wireless Communications, signed a five-year, \$219,000 lease for 1,200 square feet of retail space at 5665 Balboa Ave. from Balboa Realty LLC. Reg Kobzi of **CB Richard Ellis** represented the lessor, while Matt Shope, also with **CB Richard Ellis**, represented the lessee.

OCEANSIDE — Simon and Kimmie Hwang, doing business as Star Cleaners, signed a 10-year, \$202,000 lease for 1,200 square feet of retail space at Mesa Margarita Shopping Center, 521 Vandergrift Blvd., from RJ Land Co. LP. Matt Shope of **CB Richard Ellis** represented the lessor, while the lessee represented itself.

SAN DIEGO — Dress for the Nines signed a 63-month, \$201,174 lease for 1,371 square feet of retail space in the Uptown District Shopping Center at 940-1092 University Ave. from West Coast Uptown Partners LP. Kyle Clark and Kipp Gstettenbauer of **Cushman & Wakefield** represented the lessor, while Steve Salmons of **Commercial Properties Services** represented the lessee.

OCEANSIDE — North County Health Services signed a four-year, \$183,000 lease for 1,955 square feet of retail space in the North County Place retail center at 2216-2224 El Camino Real from Nierman Perlman Properties Inc. Marc Dudzik, Evan Hanyak, and Ron Voigt of **Lee & Associates-North San Diego County** represented the lessor, while Travis Burleson with **Burleson Pacific Real Estate Group** represented the lessee.

SAN DIEGO — Bite of Boston Inc. signed a five-year, \$164,000 lease for 1,000 square feet of retail space in Bernardo Heights Center at 15721 Bernardo Heights Parkway from Steven P. Grant as trustee of the Grant Family Trust of 1991 and Larry Tucker as trustee of the Reuben Tucker Trust. Rob Ippolito and Aaron Hill of the **Cushman & Wakefield** represented the lessors, while the lessee represented itself.

NATIONAL CITY — Cricket Wireless signed a three-year, \$83,000 lease for 1,500 square feet of retail space at 1610 8th St. from Chino Properties LP. Dan Malcolm of **Lee & Associates** represented both parties.

RANCHO MIRAGE — Ruel and Marivic Ortiz-Luis, doing business as Marivic's Scrubs & More, signed a three-year, \$81,000 lease for 2,048 square feet of retail space in Rancho Las Palmas at 42452 Highway 111 from PK I Rancho Las Palmas LP. Kam Walton, Chris Walton and John Jennings of the **Cushman & Wakefield** represented the lessor, while the lessees represented themselves.

ENCINITAS — Gaffney's Wine Bar Inc. signed a three-year, \$69,000 lease for 896 square feet of retail space at 166B El Camino Real from PK III Encinitas Marketplace LP. Norma Salzhandler of **Kimco Realty Corp.** represented the lessor, while Evan Hanyak of **Lee & Associates-North San Diego County** represented the lessee.

SAN JUAN CAPISTRANO — Bayside Search LLC signed a 26-month, \$40,000 lease for 939 square feet of retail space in the Plaza Del Obispo Shopping Center at 31878-31882 Del Obispo from O Properties. Randy Dalby of **Lee & Associates-North San Diego County** represented both parties.

POWAY — Evangeline Scott signed a two-year, \$37,000 lease for 1,232 square feet of retail space in the Carriage Center at 12845 Poway Road from Suzanne Gildred. Marc Dudzik of **Lee & Associates-North San Diego County** represented the lessor.

TRACY — Raley's leased 58,551 square feet of retail space on Tracy Boulevard from Red Maple Village. John Austin of **Cornish & Carey Commercial** represented the lessor.

ELK GROVE — School of the Tiger signed a long-term lease for 9,850 square feet of retail space at 2301 Longport Court from the Harold Eastridge Trust. Greg Margetich and Mike Cattuzzo of **Terranomics Retail Services** represented both parties.

VALLEJO — Best Collateral Inc. leased a 6,500-

See **DEALS**, page 36

DEALS

Continued from page 35

square-foot retail building in the Vallejo Plaza on Sonoma Boulevard from Ogino LLC. Mark Koenig and John Schaefer of **Terranomics Retail Services** represented the tenant with Whitney Strotz of **NAI BT Commercial**.

PLEASANT HILL — Union Bank of California signed a long-term lease for 4,878 square feet of retail space in the Pleasant Hill Plaza on Contra Costa Boulevard from Pleasant Hill Plaza Associates. Todd Oliver of **Terranomics Retail Services** represented the tenant.

BELMONT — Kumud Groceries signed a long-term lease for 4,800 square feet of retail space in the Belmont Town Center on Masonic Avenue from Harris and Leanne Wolfson. Matt Taylor and Todd Oliver of **Terranomics Retail Services** represented the landlords.

SANTA BARBARA — Presidio Fencing Academy leased 2,982 square feet of retail space at 216 E. Cota. Brian Johnson of **Radius Group** represented the lessor, while Kris Roth of **Hayes Commercial** represented the lessee.

SAN JOSE — Chipotle Mexican Grill Inc. signed a long-term lease for 2,805 square feet of retail space in the West Valley Shopping Center at the northwest corner of Prospect Road and Saratoga Avenue from FBJ Management Inc. Sharon Carmichael and Michael Seigel of **Terranomics Retail Services** represented the tenant.

UNION CITY — Ron Lam, Patrick Wong and Dolly Chen leased 2,170 square feet of retail space at 32280 Dyer St. from Dyer Triangle LLC. Vesa Becam of **Keegan & Coppin Co. Inc.** represented the lessor, while Richard Kales of **Blatteis Realty Co. Inc.** represented the lessee.

NATIONAL CITY — Rosa and Oliverio Delgado, doing business as More Styles by Karen, renewed their lease for 900 square feet of retail space in Sweetwater Crossings at 1626-D Sweetwater Road from Sweetwater Associates LP. John Jennings, Rob Ippolito and David Bradley of **Cushman & Wakefield** represented the lessor, while the lessees represented themselves.

INDUSTRIAL

SAN DIEGO — Dreyer's Grand Ice Cream Inc. signed a five-year, \$1.3 million lease for 20,782 square feet of industrial space in Pacific Technology Park at 9455 Waples St. from Pacific Tech Property Inc. James Duncan and Mickey Morera of **Cushman & Wakefield** represented the lessor, while Jed Stirnkorb, Brent Wright and Matt Pourcho of **CB Richard Ellis** represented the lessee.

SAN DIEGO — Ngan Tran signed a three-year, \$55,000 lease for 1,353 square feet of industrial space in Mira Mesa Business Park at 5897 Oberlin Drive from 5889 Oberlin Drive Associates LLC. James Duncan and Mickey Morera of **Cushman & Wakefield** represented the lessor, while the lessee represented himself.

ESCONDIDO — The Realty Associates Fund VIII LP signed a two-year, \$38,000 lease for 1,611 square feet of industrial space at 912 S. Andreasen Drive from Herff Jones Inc. Greg Pieratt with **Lee & Associates-North San Diego County** represented the lessor, while Karen Fuller with **Grubb & Ellis | BRE Commercial** represented the lessee.

MIRA LOMA — IDS USA leased AMB Galleano, a 645,000-square-foot distribution center at 11905 Landon Drive, from AMB Property Corp. Tim O'Rourke and Mike Fowler of **Jones Lang La**

Salle and Mike McCrary of **Colliers International** represented the lessor. Steve Sperber, John Isaacs, Walt Chenoweth and Frank Geraci of **CB Richard Ellis** represented the lessee.

SUNNYVALE — MIPS Technologies leased 36,013 square feet of research-and-development space at 955 E. Arques Ave. from Headlands Realty Corp. Phil Maloney of **Cornish & Carey Commercial** represented the lessor.

HAYWARD — Stanislaus Funding, doing business as Patio World, leased 35,604 square feet of warehouse space at 23768 Eichler St. from Hayward Industrial Park Associates. Richard Scherer of **Cornish & Carey Commercial** represented the lessor.

SACRAMENTO — AMARR Co. leased 30,624 square feet of industrial space at 3232 Reed Ave. from Tulloch Construction. Richard Scherer of **Cornish & Carey Commercial** represented the lessee.

HAYWARD — Richard and Patricia Folger purchased 22,400 square feet of industrial space at 21093 Forbes St. from U.S. Bank National Association. Paul Beckwith and Paul Mueller of **Cornish & Carey Commercial** represented both parties.

INDUSTRY — Yotrio Corp. signed a five-year, 20,933-square-foot lease for industrial space at 708 Nogales St. from Dedeaux Properties LLC. Brett Dedeaux, Mark Repstad and Rustin Mork of **Binswanger / Realty Advisory Group** represented landlord, while Chris Tolles, Robin Dodson and Erik Larson of **Cushman & Wakefield** represented the tenant.

SACRAMENTO — Ali Mostafa Radmand leased 13,500 square feet of industrial space at 8131 Alpine Ave. from the Edward and Rosalie Anselmo 1992 Revocable Trust. Michael Smith and Louis Jones of **Cornish & Carey Commercial** represented the lessor.

SANTA ROSA — BC Construction leased 10,200 square feet of industrial space at 170 Todd Road from Todd Associates LLC. Jim Sartain, Joel Jaman and Bill Faherty of **Keegan & Coppin Co. Inc.** represented both parties.

SANTA ROSA — Granite Transformations leased 2,800 square feet of industrial space at 1845 Piner Road from Material Land & Development. **R.T. Barton** represented the lessor, while Gil Saydah of **Keegan & Coppin Co. Inc.** represented the lessee.

SANTA ROSA — Fine Line Imports LLC leased 2,664 square feet of industrial space at 1000 Piner Road from KGS Santa Rosa LLC. Gil Saydah and Jim Sartain of **Keegan & Coppin Co. Inc.** represented both parties.

LAND

EASTVALE — **Park Place Land Advisors** negotiated the sale of 92 7,200-square-foot, unimproved single-family lots.

VINEYARD SPRINGS — A 20-acre site consisting of 78 8,000-square-foot, unimproved single-family lots was purchased with negotiations by **Park Place Land Advisors**.

HERCULES — The city of Hercules purchased a 277,477-square-foot parcel on San Pablo Avenue from Victoria Marketplace Inv. Sean Cooley, Mike Zylstra, Forrest Gherlone, Keith Marr and Dan Skehan of **Cornish & Carey Commercial** represented the seller.

MARTINEZ — Waterbird purchased a 227,819-square-foot parcel on Waterbird Way from Vinehill Investments. Graden Travis and Tyler Epting of **Cornish & Carey Commercial** represented both parties.

REAL ESTATE in the courts

Real Property

■ Grandfather provision in Subdivision Map Act does not protect parcel depicted on map recorded in 1909.

Abernathy Valley Inc. v. County of Solano, California Courts of Appeal - 1st District, No. A121817, April 17, 2009

In 1909, the "Wm. Pierce Subdivision No. 1" map (Pierce Map) was filed with the county of Solano pursuant to a 1907 statewide subdivision map law. The Pierce Map depicted a parcel of land with 25 subdivisions. In 2002, Abernathy Valley Inc. (Abernathy) acquired several of the lots. In 2003, Abernathy asked the county to record a certificate of compliance with the Subdivision Map Act (Act) for one of the lots. The county denied the application, claiming that the current version of the grandfather provision in the Act, which would have exempted Abernathy from current legal requirements, did not apply. Abernathy filed a petition for writ of mandate to compel issuance of the certificate. The trial court granted the writ, finding that the grandfather provision applied.

The decision was reversed. Since 1907, each subdivision map act has included grandfather provisions exempting maps from current legal requirements if they were filed prior to the date of the current law. In addition, the map must comply with laws in effect at the time they were filed. The current grandfather provision exempts parcels that complied with laws "regulating the design and improvement of subdivisions" in effect when the subdivision was established. In this case, the relevant subdivision was recorded in 1909. In 1909, the 1907 subdivision map law was in effect. The 1907 Act did not include any laws regarding subdivision design and improvement. As Abernathy did not show that the Pierce Map complied with any other such law in effect during that time, the grandfather provision did not apply.

Opinion by Judge Stevens.
— Seena Nikravan

■ Court abuses discretion by granting summary judgment where plaintiff missed response deadline and defendants' motion failed to address material fact in dispute.

Teselle v. McLoughlin, California Courts of Appeal - 3rd District, No. C054919, April 22, 2009

The parties involved possess an interest in or control of property secured by the partnership of George Besotes (George) and Charles Besotes (Charles), who are brothers. Each created separate trusts with an exchange provision for four real properties, effective upon death of either partner. At issue was the Waterloo Road property (Waterloo property), later amended out of the exchange provision of George's trust. Upon Charles' death, plaintiff, acting as successor trustee to George's trust, mistakenly conveyed the Waterloo property to Charles' trust. Plaintiff later filed suit against defendants to recover one half interest in the Waterloo property for George's heirs. Defendants sought summary judgment and in their motion failed to address plaintiff's claim regarding the Waterloo property. The trial court found plaintiff in violation of Code of Civil Procedure Section 473c for filing her response one day late, and that Section 473(b)(3) thus permitted the granting of summary judgment. Plaintiff's motion for relief was denied.

The decision was reversed. Discretion to grant summary judgment per Section 473(b)(c) arises from the inability to provide evidentiary

support as to the alleged material facts in dispute. Section 473(b)(1) requires the moving party to support its undisputed material fact contentions with sufficient evidence. Thus, without a showing of disputed material facts, there is nothing to require a response from the opposing party and summary judgment is granted on the basis that the lawsuit lacks merit. Here, the defendants' motion failed to address the key disputed material fact alleged by plaintiff regarding the Waterloo property. As such, the motion was inadequate and the court abused its discretion by granting summary judgment when plaintiff missed her response deadline.

Opinion by Judge Blease.
— Sharon Liang

Government

■ Water district may not enjoin processing of application for consolidation of districts under Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

San Bernardino Valley Water Conservation District v. Local Agency Formation Commission, California Courts of Appeal - 2nd District, No. B208974, April 22, 2009

The San Bernardino Valley Water Conservation District (WCD) provided water conservation services for the Bunker Hill Groundwater Basin. The San Bernardino Valley Municipal Water District (MWD) provided similar services in the same area. After discovering this, the Local Agency Formation Commission (LAFCO), suggested consolidation of the entities. Accordingly, MWD filed an application with LAFCO for consolidation. By granting the request, LAFCO would effectively eliminate WCD's services. In 2007, WCD filed an action for declaratory relief and requested an injunction to enjoin LAFCO from processing MWD's application. In ruling against WCD, the trial court found that LAFCO properly applied the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). On appeal, WCD argued that its non-district status deprived LAFCO of a mechanism by which to consolidate.

The decision was affirmed. Generally, LAFCO implements organizational changes via Parts 4 and 5 of the CKH Act. However, when an entity changes its status, consolidation is conducted under the act authorizing establishment of that entity. In this case, WCD was organized under the Water Conservation District Law of 1931 (Water Code). In 1965, Congress repealed sections in the Water Code that provided procedures for consolidation and enacted the District Reorganization Act of 1965 (1965 Act) to provide new consolidation procedures. Thus, the remaining Water Code incorporated the 1965 Act by reference. In 2000, the 1965 Act was reenacted as the CKH Act. As such, the Water Code incorporated the procedures in the CKH Act, which LAFCO applied in its ruling against WCD.

Opinion by Justice Coffee.
— Seena Nikravan

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