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(MLGx),CLOSED,DISCOVERY

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:10-cv-03850-RGK-MLG**

MKA Capital Group Advisors, LLC et al v. MKA Real Estate
Opportunity Fund I, LLC et al
Assigned to: Judge R. Gary Klausner
Referred to: Magistrate Judge Marc L. Goldman
Demand: \$1,000
Cause: 28:1332 Diversity-Insurance Contract

Date Filed: 05/21/2010
Date Terminated: 02/02/2011
Jury Demand: Both
Nature of Suit: 110 Insurance
Jurisdiction: Diversity

Plaintiff

MKA Capital Group Advisors, LLC
a California limited liability company

represented by **David Lawrence Aronoff**
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Plaintiff

**MKA Real Estate Opportunity Fund I,
LLC**
a California limited liability company

represented by **David Lawrence Aronoff**
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Gayle I. Jenkins
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ATTORNEY TO BE NOTICED

Saul S Rostamian
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Scott P DeVries
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Yelitza Virginia Dunham
(See above for address)
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Plaintiff

**MKA Real Estate Qualified Fund I,
LLC**
a California limited liability company

represented by **David Lawrence Aronoff**
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Yelitza Virginia Dunham

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ATTORNEY TO BE NOTICED

V.

Defendant

**American International Specialty Lines
Insurance Company**
an Alaska corporation

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Date Filed	#	Docket Text
05/21/2010	<u>1</u>	SEALED DOCUMENT - COMPLAINT against Defendants American International Specialty Lines Insurance Company. Case assigned to Judge R. Gary Klausner for all further proceedings. Discovery referred to Magistrate Judge Marc L Goldman.(Filing fee \$ 350 PAID) Jury Demanded, filed by plaintiffs MKA Real Estate Opportunity Fund I, LLC, MKA Capital Group Advisors, LLC, MKA Real Estate Qualified Fund I, LLC.(car) (ds). Modified on 7/2/2010 (shb). (Entered: 05/21/2010)
05/21/2010	<u>2</u>	SEALED DOCUMENT - DECLARATION of Gayle I. Jenkins In Support of Application for Filing Under Seal 1) Complaint by Plaintiffs, 2) Declaration of Gayle I. Jenkins In Support of application to Seal, filed by MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. (car) (ds). Modified on 7/2/2010 (shb). (Entered: 05/21/2010)
05/21/2010	<u>3</u>	APPLICATION for Filing Under Seal: Complaint, <u>1</u> ; Declaration of Gayle I. Jenkins In Support of Application to Seal, <u>2</u> , filed by plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. (car) (Additional attachment(s) added on 5/21/2010: # <u>1</u> Proposed Order) (ds). (Entered: 05/21/2010)
05/21/2010		21 DAY Summons Issued re Complaint - (Discovery) <u>1</u> as to Defendant American International Specialty Lines Insurance Company. (car) (Entered: 05/21/2010)

05/21/2010	4	NOTICE of Interested Parties filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC (car) (ds). (Entered: 05/21/2010)
05/21/2010	5	NOTICE of Related Case(s) filed by plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. Related Case(s): No related cases (car) (ds). (Entered: 05/21/2010)
05/25/2010	6	(IN CHAMBERS) ORDER by Judge R. Gary Klausner: denying 3 Application to Seal Case. MKA Capital Group Advisors, LLC seeks to file its Complaint under seal. It has filed an accompanying declaration that sets out to explain the justification for its request. Yet the declaration contains conclusory statements, and there are no documents attached that allow the Court verify Plaintiffs assertions. Therefore, Plaintiffs Application for Filing Under Seal is DENIED without prejudice. Plaintiff may submit evidence in support of its application by end of court day on June 2, 2010. (shb) (Entered: 05/25/2010)
06/07/2010	7	ORDER by Judge R. Gary Klausner, denying APPLICATION to File Under Seal 3 . MKA Capital Group Advisors, LLC seeks to file its Complaint under seal. It has filed an accompanying declaration that sets out to explain the justification for its request. Yet the declaration contains conclusory statements, and there are no documents attached that allow the Court verify Plaintiffs assertions. Therefore, Plaintiffs Application for Filing Under Seal is DENIED without prejudice. Plaintiff may submit evidence in support of its application by end of court day on June 14, 2010. (shb) (Entered: 06/07/2010)
06/14/2010	8	SEALED DOCUMENT- Supplemental Declaration of Gayle I. Jenkins in Support of Application for Filing Under Seal: (1) Complaint (2) Declaration of Gayle I Jenkins in Support of Application to Seal (Attachments:Part 2)(mat) (Entered: 06/14/2010)
06/18/2010	9	Proceedings:(IN CHAMBERS) Order Re: MKA's Application for Filing Under Seal. MKA Capital Group Advisors, LLC (Plaintiff) seeks to file its Complaint under seal. On June 7, 2010, the Court denied the application without prejudice, and allowed Plaintiff to submit additional evidence in support of its application. On June 14, 2010, Plaintiff timely filed a Supplemental Declaration 8 . Upon review of this additional evidence, the Court hereby grants Plaintiffs application to file its Complaint under seal 3 . IT IS SO ORDERED. (mat) (Entered: 06/18/2010)
06/30/2010	11	FIRST STIPULATION Extending Time to Answer the complaint as to American International Specialty Lines Insurance Company answer now due 7/6/2010, filed by defendant American International Specialty Lines Insurance Company.(mat) (Entered: 07/02/2010)
07/01/2010	10	AMENDED ORDER by Judge R. Gary Klausner, re: MKAs Application for Filing Under Seal 9 . The June 18, 2010 Order Granting MKAs Application for Filing Under Seal (DE 9) shall be amended to grant Plaintiffs application to file its Complaint (DE 1), Declaration of Gayle I. Jenkins (DE 2), and Supplemental Declaration of Gayle I. Jenkins (DE 8) under seal. (shb) (Entered: 07/02/2010)
07/06/2010	12	ANSWER to Complaint - (Discovery) 1 with JURY DEMAND filed by Defendant American International Specialty Lines Insurance Company.(shb) (Entered: 07/08/2010)
07/06/2010	13	NOTICE of Interested Parties filed by Defendant American International Specialty Lines Insurance Company, identifying Corporate Parent AIG Casualty Company nka

		Chartis Property Casualty Company, Corporate Parent Chartis Inc, Corporate Parent Chartis U.S. Inc, Corporate Parent Chartis Specialty Insurance Company, Corporate Parent American International Group Inc, Corporate Parent Insurance Company of the State of Pennsylvania, Corporate Parent National Union Fire Insurance Company of Pittsburgh, PA for American International Specialty Lines Insurance Company. (shb) (Entered: 07/08/2010)
09/16/2010	14	NOTICE of Manual Filing filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC of Re: MKAs Memorandum of Points and Authorities in Support of Its Motion for Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs, Statement of Uncontroverted Facts and Conclusions of Law in Support of MKAs Motion for Partial Summary Judgment, Declaration of Daniel D. White in Support of MKAs Motion for Partial Summary Judgment, Declaration of Gayle I. Jenkins in Support of Application to Seal, Application for Filing Under Seal (re: items 1-4 above), [Proposed] Order Granting MKAs Application for Filing Under Seal (re: items 1-4 above). (Aronoff, David) (Entered: 09/16/2010)
09/16/2010	15	SEALED DOCUMENT - NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to AIG's Duty to Reimburse Defense Costs filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. Motion set for hearing on 10/14/2010 at 09:00 AM before Judge R. Gary Klausner. (Attachments: # 1 Proposed Order)(Aronoff, David) Modified on 12/16/2010 (shb). (Entered: 09/16/2010)
09/16/2010	21	APPLICATION for Order for to file under seal MKA's Memorandum of points and authpriorities in support of MKA's Motion for Partial Summary Judgment and Statement of Uncontroverted Facts filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. Lodged Proposed Order. (shb) (Entered: 09/21/2010)
09/17/2010	16	NOTICE of Manual Filing filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC of Application for Filing Under Seal:MKAs Notice of Motion And Motion for Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs;[Proposed] Order Granting Mkas Motion For Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs and Request to Remove Incorrectly Filed Document: Docket Item 15; and [Proposed] Order regarding same. (Aronoff, David) (Entered: 09/17/2010)
09/17/2010	17	ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENTS by Judge R. Gary Klausner: the following document(s) be STRICKEN for failure to comply with the Local Rules, General Order and/or the Courts Case Management Order: MOTION for Partial Summary Judgment as to AIG's Duty to Reimburse Defense Costs, for the following reasons: Hearing information is missing, incorrect, or not timely: Civil Motions are heard on Mondays at 9:00 a.m.. 15 (ake) (Entered: 09/17/2010)
09/17/2010	18	CERTIFICATE OF SERVICE filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC, (1) MKAs Memorandum of Points and Authorities in Support of Motion for Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs; (2) MKAs Statement of Uncontroverted Facts and Conclusions of Law in Support of Its Motion for Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs, (3) Declaration of Daniel D. White in Support of MKAs Motion for Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs, (4) Declaration of Gayle

		<i>I. Jenkins in Support of MKAs Application For Filing Under Seal Items 1-3 above; (5) Application for Filing Under Seal Re: Items 1-4 above; (6) [Proposed] Order Granting MKAs Application for Filing Under Seal (re: items 1-4 above) served on September 16, 2010. (Aronoff, David) (Entered: 09/17/2010)</i>
09/17/2010	19	CERTIFICATE OF SERVICE filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC, <i>Application for Filing Under Seal: (1) MKAs Notice of Motion And Motion for Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs; (2) [Proposed] Order Granting MKAs Motion For Partial Summary Judgment Regarding AIGs Duty to Reimburse Defense Costs and Request to Remove Incorrectly Filed Document: Docket Item 15; and [Proposed] Order Regarding the Above</i> served on September 17, 2010. (Aronoff, David) (Entered: 09/17/2010)
09/17/2010	20	APPLICATION to file under seal MKA's motion for partial summary judgment and Request to remove incorrectly filed document # 15 filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. Lodged Proposed Order. (shb) (Entered: 09/21/2010)
09/30/2010	22	[DOCUMENT WITHDRAWN] - NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to Defendant's Duty to Reimburse Defense Costs filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. Motion set for hearing on 11/22/2010 at 09:00 AM before Judge R. Gary Klausner. (Aronoff, David) Modified on 11/18/2010 (shb). (Entered: 09/30/2010)
10/07/2010	23	ORDER SETTING SCHEDULING CONFERENCE by Judge R. Gary Klausner: Scheduling Conference set for 12/13/2010 09:00 AM before Judge R. Gary Klausner. Counsel are ordered to file a joint statement providing a brief factual summary of the case, including the claims being asserted. Parties are reminded of their obligation to disclose information and confer on a discovery plan, not later than 21 days prior to the scheduling conference and to file a joint statement with the Court not later than 14 days after they confer as required by FRCP 26 and the Local Rules of this Court. Failure to comply may lead to the imposition of sanctions (shb) (Entered: 10/07/2010)
10/14/2010	24	Joint STIPULATION for Hearing re MOTION for Partial Summary Judgment as to Defendant's Duty to Reimburse Defense Costs 22 filed by Defendant American International Specialty Lines Insurance Company. (Attachments: # 1 Proposed Order) (Sokol, Danielle) (Entered: 10/14/2010)
10/15/2010	25	ORDER DENYING STIPULATION REGARDING NEW HEARING DATE AND BRIEFING SCHEDULE FOR PLAINTIFFS MOTION FOR PARTIAL SUMMARY JUDGMENT by Judge R. Gary Klausner: The stipulation is denied. The motion will be taken under submission and no appearances by counsel are necessary. 24 (ake) (Entered: 10/15/2010)
10/20/2010	26	STIPULATION REGARDING BRIEFING SCHEDULE FOR PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT re MOTION for Partial Summary Judgment as to Defendant's Duty to Reimburse Defense Costs 22 filed by Defendant American International Specialty Lines Insurance Company. (Attachments: # 1 Proposed Order re Briefing Schedule for Plaintiff's Motion for Summary Judgment)(Sokol, Danielle) (Entered: 10/20/2010)

10/21/2010	27	ORDER by Judge R. Gary Klausner, GRANTING Stipulation regarding briefing schedule for plaintiffs' motion for partial summary judgment, 26 . IT IS HEREBY ORDERED that: 1. Defendant shall have until November 1, 2010 to file and serve its opposition to Plaintiffs Motion for Partial Summary Judgment; and2. Plaintiffs shall have until November 22, 2010 to file and serve their reply papers in support of their Motion for Partial Summary Judgment. (shb) (Entered: 10/22/2010)
10/28/2010	29	ORDER by Judge R. Gary Klausner granting Application for Filing Under Seal Memorandum of points and authpriorities in support of MKA's Motion for Partial Summary Judgment and Statement of Uncontroverted Facts 21 . (jp) (Entered: 11/02/2010)
10/28/2010	30	SEALED DOCUMENT- Declaration of Daniel D. White in Support of MKA's Motion for Partial Summary Judgment Regarding AIG's Duty to Reimburse Defense Costs. (Attachments: Part 2, Part 3, Part 4, Part 5)(mat) (Entered: 11/03/2010)
10/28/2010	31	SEALED DOCUMENT- Declaration of Gayle I. Jenkins in Support of MKA's Application for Filing Under Seal; (1) MKA's Memorandum of Points and Authorities in Support of Motion for Partial Summary Judgment; (2) Statement of Uncontroverted Facts and Conclusions of Law in Support of Motion for Partial Summary Judgment; (3) Declaration of Daniel D. White in Support of Motion for Partial Summary Judgment;(4) Declaration's Gayle I. Jenkins in Support of Application to Seal. (Attachments: Part 2)(mat) (Entered: 11/03/2010)
10/28/2010	32	SEALED DOCUMENT- MKA's Memorandum of Points and Authorities in Support of Motion for Partial Summary Judgment Regarding AIG;s Duty to Reimburse Defense Costs.(mat) (Entered: 11/03/2010)
11/01/2010	28	NOTICE of Manual Filing filed by Defendant American International Specialty Lines Insurance Company of Application for Filing Under Seal, Declaration of Danielle R. Sokol re Filing Under Seal, Proposed Order re Filing Under Seal, Opposition to Motion for Partial Summary Judgment, Statement of Genuine Issues in Opposition, Declaration of Andrew J. Waxler, Proposed Order re Partial Summary Judgment. (Sokol, Danielle) (Entered: 11/01/2010)
11/17/2010	33	MINUTES (IN CHAMBERS)ORDER by Judge R. Gary Klausner: taking under submission 22 Motion for Partial Summary Judgment as to Defendant's Duty to Reimburse Defense Costs. The Court hereby advises counsel that the above-referenced motion, noticed for hearing on November 22, 2010, has been taken under submission and off the motion calendar. No appearances by counsel are necessary. The Court will issue a ruling after full consideration of properly submitted pleadings. (shb) (Entered: 11/17/2010)
11/17/2010	34	Notice of Withdrawal of Motion for Partial Summary Judgment, 22 filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. (Aronoff, David) (Entered: 11/17/2010)
11/17/2010	35	STIPULATION to Continue Scheduling Conference from December 13, 2010 to Later Date If Settlement Agreement Not Executed filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC.(Aronoff, David) (Entered: 11/17/2010)
11/18/2010	36	ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENTS by Judge R. Gary Klausner: the following document(s) be STRICKEN for failure to comply with the

		Local Rules, General Order and/or the Courts Case Management Order: Stipulation to Continue, 35 for the following reasons: Proposed Document was not submitted as separate attachment. (ake) (Entered: 11/18/2010)
11/18/2010	37	STIPULATION to Continue Scheduling Conference from December 13, 2010 to Later Date If Settlement Agreement Not Executed filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. (Attachments: # 1 Proposed Order)(Aronoff, David) (Entered: 11/18/2010)
11/23/2010	38	ORDER by Judge R. Gary Klausner, DENIED Stipulation to Continue of December 13, 2010 Scheduling Conference, 37 (shb) (Entered: 11/24/2010)
12/06/2010	39	NOTICE of Manual Filing filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC of Joint Rule 26(f) and Local Rule 26-1 Report; Application for Filing Under Seal Joint Rule 26(f) and Local Rule 26-1 Report; Decl. of Yelitza V. Dunham in Support of MKAs Application for Filing Under Seal; [Proposed] Order Granting MKAs Application for Filing Under Seal (Re: above). (Aronoff, David) (Entered: 12/06/2010)
12/06/2010	40	NOTICE AND REQUEST of Settlement Procedure Selection (Sp3); parties request to appear before a retired judicial officer or other dispute resolution body for mediation type settlement proceedings. Filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC (Attachments: # 1 Proposed Order)(Aronoff, David) (Entered: 12/06/2010)
12/06/2010	41	OF SERVICE filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC, <i>Certificate of Service Re: Joint Rule 26(f) and Local Rule 26-1 Report; Application for Filing Under Seal Joint Rule 26(f) and Local Rule 26-1 Report; Decl. of Yelitza V. Dunham in Support of MKAs Application for Filing Under Seal; [Proposed] Order Granting MKAs Application for Filing Under Seal (Re: above)</i> served on December 6, 2010. (Aronoff, David) (Entered: 12/06/2010)
12/06/2010	42	APPLICATION for Order for to file under seal Joint Rule 26(f) and Local Rule 26(f) Report; Declaration of Yelitza V Dunham filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. Lodged Proposed Order. (shb) (Entered: 12/13/2010)
12/10/2010	45	SEALED DOCUMENT- Declaration of Yelitza V. Dunham in Support of MKA's Application for Filing Under Seal Joint Rule 26(f) and Local Rule 26-1 Report. (mat) (Entered: 12/14/2010)
12/10/2010	46	MINUTES by Judge R. Gary Klausner: granting 42 Application for Order Granting Filing Under Seal (shb) (Entered: 12/14/2010)
12/10/2010	47	SEALED DOCUMENT- Joint Rule 26(f) and Local Rule 26-1 Report. (mat) (Entered: 12/14/2010)
12/13/2010	43	ORDER FOR JURY TRIAL by Judge R. Gary Klausner: Final Pretrial Conference set for 7/25/2011 09:00 AM before Judge R. Gary Klausner., Jury Trial set for 8/9/2011 09:00 AM before Judge R. Gary Klausner. (shb) (Entered: 12/13/2010)
12/13/2010	44	MINUTES OF SCHEDULING CONFERENCE: Scheduling Conference held before Judge R. Gary Klausner. Case called. Court and counsel confer. The Scheduling Conference is held. The Court sets the following dates Amended Pleadings due by

		1/10/2011. Discovery cut-off 5/11/2011. Motions due by 5/25/2011. Final Pretrial Conference set for 7/25/2011 09:00 AM before Judge R. Gary Klausner.Court Reporter: Nichole Rhynard. (shb) (Entered: 12/13/2010)
12/16/2010	48	ORDER by Judge R. Gary Klausner: granting 20 Application to file document 15 under seal (shb) (Entered: 12/16/2010)
12/17/2010	49	ORDER by Judge R. Gary Klausner: Granting the NOTICE AND REQUEST of Settlement Procedure Selection (Sp3) requiring the parties to appear before a retired judicial officer or other private or non-profit dispute resolution body. (shb) (Entered: 12/17/2010)
02/02/2011	50	STIPULATION to Dismiss Case pursuant to Settlement Reached Between Parties filed by Plaintiffs MKA Capital Group Advisors, LLC, MKA Real Estate Opportunity Fund I, LLC, MKA Real Estate Qualified Fund I, LLC. (Attachments: # 1 Proposed Order) (Aronoff, David) (Entered: 02/02/2011)
02/03/2011	51	ORDER by Judge R. Gary Klausner, granting Stipulation to Dismiss Case, 50 (shb) (Entered: 02/03/2011)

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