April 1, 2016

Via Electronic Service

ALL COUNSEL

Re: Cilker Apartments, LLC v. Western National Construction, et al.
Our Matter No. 18079

Dear Counsel:

In follow up to the deposition of Richard Avelar which occurred on March 15, 2016 and March 17-18, 2016, below is a breakdown of the expert fees owed by each party in attendance at the deposition.

<table>
<thead>
<tr>
<th>Deposition Date</th>
<th>Total Fee</th>
<th>Fee Breakdown</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 15, 2016</td>
<td>6.25 hours x $660/hour = $4,125.00</td>
<td>$4,125.00/20 parties = $206.25 per party</td>
</tr>
<tr>
<td>March 17, 2016</td>
<td>6.25 hours x $660/hour = $4,125.00</td>
<td>$4,125.00/18 parties = $229.17 per party</td>
</tr>
<tr>
<td>March 18, 2016</td>
<td>6.5 hours x $660/hour = $4,290.00</td>
<td>$4,290/22 parties = $195.00 per party</td>
</tr>
</tbody>
</table>

A copy of the appearance pages from the court reporter for each day of deposition is enclosed for reference.

As some of you are aware, there was an error in the calculation of the fee split for the first 3 days of Mr. Avelar's deposition. So that the parties are clear on the amounts owed, I have enclosed a spreadsheet from Mr. Avelar's office showing amounts paid and currently owed for each party who attended the deposition.

As a reminder, fees are to be paid directly to Richard Avelar & Associates and a copy of the completed W9 form is enclosed for your convenience.
ALL COUNSEL
April 1, 2016
Page 2

Thank you for your attention to the above.

Very truly yours,

\[Signature\]

JON B. ZIMMERMAN

JBZ.jkt
Encl.
1060501
<table>
<thead>
<tr>
<th>No.</th>
<th>NAME OF PARTY</th>
<th>PAYABLE TO</th>
<th>AMOUNT</th>
<th>BALANCE DUE</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>ADM Painting</td>
<td>AMPAM LDI</td>
<td>$196.43</td>
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<td>LDI Mech.</td>
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<tr>
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<td></td>
</tr>
</tbody>
</table>

**TOTAL PAID:** $1,249.07

**TOTAL DUE:** $631.20

**TOTAL SHARED:** $1,893.60

**BALANCE DUE:** $617.87
**Request for Taxpayer Identification Number and Certification**

Name (as shown on your income tax return): Name is required on this line; do not leave this line blank.
- **RICHARD AVELAR & ASSOCIATES, INC.**

Business name/disregarded entity name, if different from above:

- **3** Check appropriate box for federal tax classification; check only one of the following seven boxes:
  - [ ] Individual/sole proprietor or
  - [ ] C Corporation
  - [ ] S Corporation
  - [ ] Partnership
  - [ ] Trust/estate
  - [ ] Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership)
  - Note: For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.

- [ ] Other (see instructions)

Address (number, street, and apt. or suite no.):
- **318 HARRISON STREET, SUITE 103**

City, state, and ZIP code:
- **OAKLAND, CA 94607**

List account number(s) here (optional):

### Part I - Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

**Note:** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

<table>
<thead>
<tr>
<th>Social security number</th>
<th>Employer identification number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Part II - Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and

2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and

3. I am a U.S. citizen or other U.S. person (defined below); and

4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions:** You must cross out item 2 above if you have not been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here**

- **Signature of U.S. person**
- **JANUARY 26, 2016**

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments:** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/Avs9.

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1098-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1098-S (proceeds from real estate transactions)
- Form 1098-K (merchant card and third party network transactions)

**Form 1098** (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

- Form 1098-C (canceled debt)
- Form 1098-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding,
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting? on page 2 for further information.

Cat. No. 10231X Form W-9 (Rev. 12-2014)
DEPOSITION OF RICHARD AVELAR

BE IT REMEMBERED, that pursuant to Notice, and on the 15th day of March 2016, commencing at the hour of 10:04 a.m., in the offices of Aiken Welch Court Reporters, 111 N. Market Street, Suite 300, San Jose, California, before me, KIMBERLEY RICHARDSON, a Certified Shorthand Reporter, personally appeared RICHARD AVELAR, produced as a witness in said action, and being by me first duly sworn, was thereupon examined as a witness in said cause.

---o0o---

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cmcfate@vanlevylaw.com

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Suite 645
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rjcollaco@wolfewyman.com

ALSO PRESENT: KATHY CASWELL
DEPOSITION OF RICHARD AVELAR

BE IT REMEMBERED, that pursuant to Notice, and on the 17th day of March 2016, commencing at the hour of 10:09 a.m., in the offices of Aiken Welch Court Reporters, 111 N. Market Street, Suite 300, San Jose, California, before me, KIMBERLEY RICHARDSON, a Certified Shorthand Reporter, personally appeared RICHARD AVELAR, produced as a witness in said action, and being by me first duly sworn, was thereupon examined as a witness in said cause.

---00---

APPEARANCES:

For the Plaintiff Cilker Apartments, LLC:

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       rjcollaco@wolfewyman.com
DEPOSITION OF RICHARD AVELAR

BE IT REMEMBERED, that pursuant to Notice, and on
the 18th day of March 2016, commencing at the hour of
10:05 a.m., in the offices of Aiken Welch Court
Reporters, 111 N. Market Street, Suite 300, San Jose,
California, before me, KIMBERLEY RICHARDSON, a Certified
Shorthand Reporter, personally appeared RICHARD AVELAR,
produced as a witness in said action, and being by me
first duly sworn, was thereupon examined as a witness in
said cause.

---o0o---

APPEARANCES:

For the Plaintiff Cilker Apartments, LLC:

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