May 24, 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 Lucy Chung which occurred on May 18, 2016, below is a breakdown of the expert fees owed by each party in attendance at the deposition.

5 hours x $425/hour = $2,125.00

$2,125.00/13 parties = $163.47 per party

There were 13 parties in attendance at the deposition and each party's share of Ms. Chung's fees is $163.47. A copy of the appearance pages from the court reporter is enclosed for reference.

Fees are to be paid directly to WDC & Associates, LLP and a copy of the completed W-9 form is enclosed for your convenience.

Thank you for your attention to the above.

Very truly yours,

Sent in Writer's Absence to Avoid Delay

JON B. ZIMMERMAN

JBZ.jkt  
Encl.  
1070084
W-9

Request for Taxpayer Identification Number and Certification

Name (as shown on your income tax return): WDC & Associates, LLP

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

Check appropriate box for federal tax classification:

- [ ] Individual/sole proprietor
- [ ] C Corporation
- [ ] S Corporation
- [ ] Partnership
- [ ] Trust/estate
- [x] Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership)
- [ ] Exempt payee

See Specific Instructions on page 2.

Print or type:

Address (number, street, and apt. or suite no.):

City, state, and ZIP code:

San Jose, CA 95113

List account number(s) here (optional):

Requester's name and address (optional):

Part I - Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is 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 chart on page 4 for guidelines on whose number to enter.

Social security number:

[ ] [ ] [ ] [ ] [ ] [ ]

Employer identification number:

[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

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 and 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).

Certification instructions. You must cross out item 2 above if you have 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 4.

Signature of U.S. person:

[Signature]

Date: 1/20/16

General Instructions

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

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

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, or
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.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

Cat. No. 10231X

Form W-9 (Rev. 12-2011)
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

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CILKER APARTMENTS, LLC,

Plaintiff,

vs.

No. 113CV258281

WESTERN NATIONAL CONSTRUCTION,

et al.,

Defendants.

AND ALL RELATED CROSS-CLAIMS.

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DEPOSITION OF LUCY CHUNG

Taken before KIMBERLEY RICHARDSON, RPR, CCRR

CSR No. 5915

May 18, 2016

Aiken Welch Court Reporting
One Kaiser Plaza, Suite 250
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</tr>
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<td>Exhibit 879</td>
<td>Calculations of Lost Rent &amp; Concessions</td>
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<tr>
<td>Exhibit 880</td>
<td>Invoice dated 3-31-16</td>
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DEPOSITION OF LUCY CHUNG

BE IT REMEMBERED, that pursuant to Notice, and on the 18th day of May 2016, commencing at the hour of 9:34 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 LUCY CHUNG, produced as a witness in said action, and being by me first duly sworn, was thereupon examined as a witness in said cause.
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Page 5
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