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5 Attorneys for Plaintiff, CILKER  
APARTMENTS, LLC  
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SANTA CLARA  
10

11 CILKER APARTMENTS, LLC,

12 Plaintiff,

13 vs.

14 WESTERN NATIONAL CONSTRUCTION,  
MCLARLAND, VARQUEZ & PARTNERS,  
15 GROUP M ENGINEERS, GENTRY  
ASSOCIATES CONSTRUCTION  
16 CONSULTANTS, LARCO INDUSTRIES,  
FITZ PLASTERING, COURTNEY  
17 WATERPROOFING, CELL CRETE, LOS  
NIETOS CONSTRUCTION, MADERA  
18 FRAMING, KELLY DOOR, TARA  
COATINGS, LDI, and DOES 1-100,  
19 inclusive,

20 Defendant.

Case No. 113CV258281

**PLAINTIFF CILKER APARTMENTS,  
LLC'S NOTICE TO ATTORNEY IN LIEU  
OF SUBPOENA TO COMPEL  
ATTENDANCE BEFORE COURT WITH  
PRODUCTION OF DOCUMENTS (CCP §  
1987)**

Date: July 11, 2016  
Time: 9:00 a.m.  
Dept.: 1

21 AND RELATED CROSS-ACTIONS  
22

23 TO AMPAM PARKS MECHANICAL, INC. AND THEIR ATTORNEY OF RECORD:

24 NOTICE IS HEREBY GIVEN that the following individuals as an employee or other  
25 representative of AMPAM Parks Mechanical, Inc. are to attend the trial to be held in the above-  
26 captioned court located at 191 North First Street, San Jose, California 95113, on July 11, 2016 at  
27 9:00 a.m. in Department 1 to testify as a witness in the trial of this action:

- 28 1. Robert Munoz

1           2.       James Wright III

2           Pursuant to CCP § 1987(c), the above listed individual shall bring with him the following  
3 *original* writings, as defined by Evidence Code § 250:

4           1.       Any and all DOCUMENTS ("DOCUMENTS" means the original or copy of  
5 handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by  
6 electronic mail or facsimile, and every other means of recording upon any tangible thing, any form  
7 of communication or representation, including letters, words, pictures, sounds, or symbols, or  
8 combinations thereof, and any record thereby created, regardless of the manner in which the  
9 record has been stored.) relating to YOUR ("YOU," "YOUR," shall include YOU, YOUR agents,  
10 YOUR partners, YOUR representatives, YOUR employees, YOUR insurance companies, their  
11 agents, officers, directors, partners, representatives, or employees, employees, YOUR attorneys,  
12 YOUR accountants, YOUR investigators and anyone else acting on YOUR behalf) WORK  
13 ("WORK" means the providing and implementation of labor, services, materials, resources,  
14 equipment, supplies, and other associated items) at the SUBJECT PROPERTY ("SUBJECT  
15 PROPERTY" means The One Pearl Place Apartment Complex in San Jose, California), including  
16 but not limited to the following:

17                   a.       Any and all written contracts and change orders relating to YOUR WORK  
18 at the SUBJECT PROPERTY.

19                   b.       Any and all warranty documents.

20                   c.       Any and all correspondence and related DOCUMENTS relating to YOUR  
21 WORK at the SUBJECT PROPERTY.

22                   d.       Any and all photographs and video tape related to the SUBJECT  
23 PROPERTY.

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e. Any and all billings for YOUR WORK related to the SUBJECT PROPERTY.

Dated: June 17, 2016

ROBINSON & WOOD, INC.

By:   
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JON B. ZIMMERMAN  
GREGORY B. COHEN  
Attorneys for Plaintiff, CILKER  
APARTMENTS, LLC

1 **PROOF OF SERVICE**  
2 *Cilker Apartments v. Western National Construction, et al*  
3 Case No.: 113CV258281

4 I, Jennifer K. Timbol, declare:

5 I am over the age of eighteen (18) years and not a party to the within entitled action. I am  
6 employed by Robinson & Wood, Inc., 227 N 1st Street, San Jose, California 95113. I am readily  
7 familiar with Robinson & Wood, Inc.'s practice for collection and processing of documents for  
8 delivery by way of the service indicated below.

9 On June 16, 2016, I served the following document(s):

10 **PLAINTIFF CILKER APARTMENTS, LLC'S NOTICE TO ATTORNEY IN LIEU  
11 OF SUBPOENA TO COMPEL ATTENDANCE BEFORE COURT WITH  
12 PRODUCTION OF DOCUMENTS (CCP § 1987)**

13 on the interested party(ies) in this action as follows:

14 **By Electronic Service.** By causing said document(s) to be served on the interested parties  
15 via electronic service utilizing the Electronic Filing Service Provider as ordered by this Court. A  
16 copy of the filing receipt page will be maintained with the original document(s) in this office.

17 I declare under penalty of perjury under the laws of the State of California that the  
18 foregoing is true and correct.

19 Executed on June 16, 2016, at San Jose, California.

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\_\_\_\_\_  
Jennifer K. Timbol

ROBINSON & WOOD, INC.  
ATTORNEYS AT LAW