

ORIGINAL

1 GORDON E. BOSSERMAN, SBN 65259  
C. BRENT PARKER, SBN 136737  
2 SPOLIN COHEN MAINZER & BOSSERMAN LLP  
11601 Wilshire Boulevard, Suite 2410  
3 Los Angeles, California 90025  
Tel.: (310) 586-2413  
4 Fax: (310) 586-2444

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

APR 10 2012

ELO

APR 12 2012

5 Attorneys for Plaintiffs  
TWENTY-NINE PALMS BAND OF MISSION  
6 INDIANS OF CALIFORNIA; TWENTY-NINE  
PALMS ENTERPRISES CORPORATION; and,  
7 ECHO TRAIL HOLDINGS, LLC

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF RIVERSIDE

11 TWENTY-NINE PALMS BAND OF  
12 MISSION INDIANS OF CALIFORNIA;  
TWENTY-NINE PALMS ENTERPRISES  
13 CORPORATION; and ECHO TRAIL  
14 HOLDINGS, LLC, a limited liability  
company,

15 Plaintiffs,

16 vs.

17 DAVID ALAN HESLOP, an individual,  
DIVERSIFICATION RESOURCES, LLC, a  
18 limited liability company, NATIONAL  
DEMOGRAPICS, Inc., a corporation,  
19 PEGGY SHAMBAUGH, an individual,  
BENNION & DEVILLE FINE HOMES, INC.,  
20 doing business as WINDERMERE REAL  
ESTATE COACHELLA VALLEY, a  
21 corporation, and Does 1 through 100,

22 Defendants.

Case No. RIC 10006101

[Hon. John Vineyard]

STIPULATION FOR ORDER SETTING  
DEPOSITION OF DEFENDANT  
PEGGY SHAMBAUGH; [~~PROPOSED~~]  
ORDER THEREON

Date Action Filed: October 7, 2009

SPOLIN COHEN MAINZER & BOSSERMAN LLP  
11601 Wilshire Boulevard, Suite 2410  
Los Angeles, California 90025  
(310) 586-2400

SPOLIN COHEN MAINZER & BOSSERMAN LLP  
11601 Wilshire Boulevard, Suite 2410  
Los Angeles, California 90025  
(310) 586-2400

1 TO THE COURT, AND TO ALL PARTIES IN INTEREST AND TO THEIR  
2 ATTORNEYS OF RECORD:

3 The following Stipulation is made by and between Plaintiffs Twenty-Nine Palms Band  
4 of Mission Indians of California, Twenty-Nine Palms Enterprises Corporation and Echo Trail  
5 Holdings LLC on the one hand, and Defendant Peggy Shambaugh, by and through their  
6 respective attorneys of record, with reference to the following facts:

7 1. WHEREAS, Plaintiffs, by agreement of counsel, set the deposition of Defendant  
8 Peggy Shambaugh for February 14, 2012; and

9 2. WHEREAS, due to the unavailability of Ms. Shambaugh's criminal defense  
10 lawyer, the deposition did not proceed on February 14, 2012.

11 3. WHEREAS, Mathew Horezcko, Ms. Shambaugh's criminal defense lawyer, has  
12 advised counsel for Ms. Shambaugh in this action that he is available for the deposition of Ms.  
13 Shambaugh on April 30, 2012 and that he will not knowingly scheduled any matter that will  
14 conflict with the taking of Ms. Shambaugh's deposition on April 30, 2012.

15 WHEREFORE, THE PARTIES HEREBY STIPULATE that, conditioned upon the  
16 presence at the deposition of Matthew Horezcko, criminal defense counsel for Ms. Shambaugh,  
17 the deposition of Peggy Shambaugh shall commence at 10:00 a.m. on April 30, 2012, at  
18 IVAMS, INC., 8287 White Oak Ave., Rancho Cucamonga, California 91730, in the presence of  
19 Discovery Referee Retired Judge Sam Cianchetti, and shall continue from day to day, holidays  
20 and weekends excluded, or otherwise by agreement of counsel, until completed.

21 Dated: April 3, 2012

SPOLIN COHEN MAINZER & BOSSERMAN LLP

22 By:   
23

24 GORDON E. BOSSERMAN  
25 Attorneys for Plaintiffs  
26  
27  
28

1 Dated: April 3, 2012

SUNDERLAND & McCUTCHAN LLP

2  
3 By: Cheryl D. Davidson

4 CHERYL D. DAVIDSON  
Attorneys for Defendants  
5 PEGGY SHAMBAUGH, an individual; BENNION  
& DEVILLE FINE HOMES, INC., dba  
6 WINDERMERE COACHELLA VALLEY CORP;  
WINDERMERE REAL ESTATE SERVICES, INC.  
7 and JOSEPH R. DEVILLE  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SPOLIN COHEN MAINZER & BOSSERMAN LLP  
11601 Wilshire Boulevard, Suite 2410  
Los Angeles, California 90025  
(310) 586-2400

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Upon the stipulation of the parties, and good cause appearing therefor,  
**IT IS ORDERED** that, conditioned upon the presence at the deposition of Matthew Horeczko, criminal defense counsel for Ms. Shambaugh, the deposition of Peggy Shambaugh shall commence at 10:00 a.m. on April 30, 2012, at IVAMS, INC., 8287 White Oak Ave., Rancho Cucamonga, California 91730, in the presence of Discovery Referee Retired Judge Sam Cianchetti, and shall continue from day to day, holidays and weekends excluded, or otherwise by agreement of counsel, until completed.

**SO ORDERED.**

DATED: April 10, 2012.

  
\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

SPOLIN COHEN MAINZER & BOSSERMAN LLP  
11601 Wilshire Boulevard, Suite 2410  
Los Angeles, California 90025  
(310) 586-2400

SPOLIN COHEN MAINZER & BOSSERMAN LLP  
11601 Wilshire Boulevard, Suite 2410  
Los Angeles, CA 90025  
(310) 586-2400

**PROOF OF SERVICE**

Twenty-Nine Palms v. Heslop, Case No. RIC 10006101

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11601 Wilshire Boulevard, Suite 2410, Los Angeles, CA 90025.

On April 3, 2012, I served the foregoing document described as:

**STIPULATION FOR ORDER SETTING DEPOSITION OF  
DEFENDANT PEGGY SHAMBAUGH; [PROPOSED] ORDER  
THEREON**

by placing  the original  a true copy thereof enclosed in sealed envelopes addressed as follows:

Cheryl Davidson, Esq.  
Sunderland McCutchan LLP  
11770 Bernardo Plaza Ct., Ste. 250  
San Diego, CA 92128  
*Attorney for Defendants Shambaugh, Windermere  
Coachella, Windermere Real Estate Service  
Company and Bob Deville*

John D. Klinedinst, Esq.  
Connie M. Anderson, Esq.  
Klinedinst PC  
777 S. Figueroa St., 47th Floor  
Los Angeles, CA 90017  
*Attorneys for Defendant David Alan  
Heslop and DRL-NV*

Todd E. Croutch, Esq.  
Daniel Dik, Esq.  
Fonda & Fraser LLP  
100 W. Broadway, Suite 650  
Glendale, CA 91210  
*Attorney for Defendant National Demographics*

(MAIL) Placing the envelope for collection and mailing on the date and at our business address following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

  
\_\_\_\_\_  
SARAH C. CHOI