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County of Mariposa

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF MARIPOSA

13 COUNTY OF MARIPOSA,

14 Plaintiff,

15 v.

16 JDC LAND COMPANY, LLC; a California  
limited liability company;  
17 CONTINENTAL HERITAGE INSURANCE  
COMPANY; and  
18 DOES 1 through 50,

19 Defendants.

Action Filed: March 13, 2017  
Case Number: 10887

**~~PROPOSED~~ FINDINGS AND ORDER  
AFTER HEARING DENYING DEFENDANT  
JDC LAND COMPANY, LLC'S REQUEST  
FOR FURTHER DISCOVERY AGAINST  
PLAINTIFF COUNTY OF MARIPOSA BUT  
ALLOWING THE DEPOSITION OF THE  
RECEIVER**

Hearing  
Date: January 30, 2020  
Time: 3:30 p.m.  
Dept: 3

Exempt from filing fees pursuant to  
RECEIVED Government Code section 6103.

MAR - 2 2020

MARIPOSA CO. COUNSEL  
**FILED**  
MARIPOSA SUPERIOR COURT  
FEB 27 2020  
**KM ESTEP**  
COURT CLERK

1 Defendant JDC Land Company, LLC's ("JDC") request for further discovery against Plaintiff  
2 County of Mariposa (the "County") and request for further discovery against the Receiver (collectively,  
3 "JDC's Request") came on for hearing before this Court. Marc E. Angelucci of the Law Office of Marc  
4 E. Angelucci appeared for JDC. Steven W. Dahlem, County Counsel, and John M. Fujii of Silver &  
5 Wright LLP appeared for the County. Andrew F. Adams appeared for the Receiver. The Court has  
6 considered all papers filed in support of and in opposition to JDC's Request, and all other matters  
7 properly before the Court.

8 THE COURT HEREBY FINDS AND DECLARES THAT:

9 1. The emails between counsel for the County and the Receiver that JDC presented to the Court  
10 were out of context or lacking context. Nothing in the emails between counsel for the County and the  
11 Receiver shocks the conscience. The emails between counsel for the County and the Receiver do not,  
12 in any way, show any conspiracy or collusion to mislead the Court or to violate any right of JDC or its  
13 counsel. To the contrary, these emails confirm the County's and the Receiver's joint goal of obtaining  
14 compliance from JDC and to ensure that the subject property met the public health and safety  
15 requirements of the law, and to carry out the orders of the Court.

16 2. Thus, JDC has failed to make the necessary showing for further discovery against the County.

17 THEREFORE, IT IS ORDERED THAT JDC's request for further discovery against the County  
18 is DENIED. All discovery against the County is cutoff. In addition, further discovery against the  
19 Receiver is DENIED, except that JDC may take the deposition of the Receiver and any others, but may  
20 not take the deposition of any employees or former employees of the County.

21 IN ADDITION, IT IS FURTHER ORDERED THAT the February 26-27, 2020 Receiver  
22 discharge hearing is continued to April 2-3, 2020 at 9:00 a.m., and that the Receiver and his counsel  
23 and all counsel for the parties are required to appear in person at the discharge hearing.

24 Dated: FEB 27 2020

**F. DANA WALTON**  
JUDGE OF THE SUPERIOR COURT

25  
26 Approved By:  
27 Marc Angelucci (approved as to form)  
Marc E. Angelucci

Andrew F. Adams  
Andrew F. Adams

**PROOF OF SERVICE**

At the time of this service I was over 18 years of age and I was not a party to this action. My business address is **3 Corporate Park, Suite 100, Irvine, CA 92606**. On the date indicated below, I served the following documents (“Documents”):

- 1. **[PROPOSED] FINDINGS AND ORDER AFTER HEARING DENYING DEFENDANT JDC LAND COMPANY, LLC’S REQUEST FOR FURTHER DISCOVERY AGAINST PLAINTIFF COUNTY OF MARIPOSA BUT ALLOWING THE DEPOSITION OF THE RECEIVER.**

The Documents were served on the following persons (“Persons”):

**Marc E. Angelucci, Esq.**  
*Attorney for Defendant JDC Land Company, LLC*  
**Postal Office Box 6414**  
**Crestline, California 92325**  
**marc.angelucci@yahoo.com**

**Andrew Adams**  
**California Receivership Group, PBC**  
**Court Receiver**  
**2716 Ocean Park Boulevard, Suite 3010**  
**Santa Monica, California 90405**  
**aadams@calreceivers.com**

The Document was delivered by:

**Personal Service.** At \_\_\_\_\_ (time), I personally delivered the Document to the Persons at the addresses identified above. For service on a party, delivery was either made to the party, or by leaving the documents at the party’s residence with a person not less than 18 years of age. For service on a party’s agent, delivery was either made to the party’s agent, or at the party’s agent’s office by leaving the documents with a receptionist or an individual in charge of the office in an envelope clearly labeled to identify the agent being served.

**United States Mail.** I served the Document by enclosing a true copy in a sealed envelope addressed to the Persons at the addresses identified above and depositing the envelope in the United States mail with the postage fully prepaid in the county where I reside or am employed.

**Certified Mail with Return Receipt Requested.** I served the Document by enclosing a true copy in a sealed envelope addressed to the Persons at the addresses identified above and depositing the envelope with the United States Post Office with the postage fully prepaid as certified mail with return receipt request in the county where I reside or am employed.

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**Next Day Delivery.** I served the Document by enclosing a true copy in a sealed envelope addressed to the Persons at the addresses identified above and depositing the envelope for collection with a next day delivery carrier

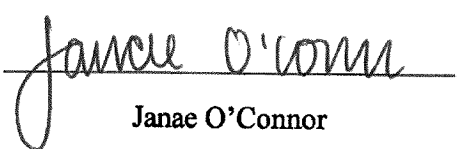
**Messenger Service.** I served the Document by enclosing a true copy in a sealed envelope addressed to the Persons at the addresses identified above and providing them to a professional messenger service for delivery. A declaration of service by the messenger service is attached.

**Facsimile.** Based on an agreement of the parties to accept service by facsimile, I faxed the Document to the Persons at the fax numbers identified above. No error was reported by the fax machine and I did not receive any indication that the transmission was unsuccessful.

**Email.** Based on an agreement of the parties to accept service by email, I emailed the Document to the Persons at the email addresses identified above. I did not receive any indication that the email transmission was unsuccessful.

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

Dated: February 27, 2020

  
Janae O'Connor