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**FILED**  
Superior Court of California  
County of Los Angeles

AUG 28 2017

Sherri R. Carter, Executive Officer/Clerk  
by Victor Sine-Cruz Deputy

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

14 LANITA RUTHERFORD;  
15  
16 Plaintiffs,

17 v.

18 MARY L. SMITH, Trustee of the Mary  
19 L. Smith Separate Property Trust dated  
20 May 9, 2008; JEANETTE BANKHEAD,  
21 Successor Trustee of the Mary L. Smith  
22 Separate Property Trust dated May 9,  
23 2008; and DOES 1 through 100, inclusive,  
24 Defendants.

25 -----  
26 MARY L. SMITH SEPARATE  
27 PROPERTY TRUST DATED MAY 9,  
28 2008; MARY L. SMITH, Trustee of the  
Mary L. Smith Separate Property Trust  
dated May 9, 2008; and JEANETTE  
BANKHEAD, Successor Trustee of the  
Mary L. Smith Separate Property Trust  
dated May 9, 2008,

29 Cross-Complainants,  
30 vs.

31 TARZANA PLAZA CONDOMINIUM  
32 ASSOCIATION, INC.; and ROES 1  
33 through 25, inclusive,

34 Cross-Defendant.

) CASE NO. 16K04378

) **RECEIVER NOTICE OF MOTION AND**  
) **MOTION FOR:**

) **1) AN ORDER APPROVING THE LOAN**  
) **BY WESTERN ALLIANCE BANK TO**  
) **THE TARZANA PLAZA**  
) **CONDOMINIUM ASSOCIATION FOR**  
) **NECESSARY REPAIRS, TO SATISFY**  
) **OUTSTANDING LIABILITES, AND**  
) **REPLENISH RESERVES**

) **MEMORANDUM OF POINTS AND**  
) **AUTHORITY AND DECLARATION OF**  
) **KEVIN SINGER IN SUPPORT THEREOF**

) Date: September 25, 2017  
) Time: 8:30 a.m.  
) Dept: 77

) Action Filed: August 29, 2016  
) Trial Date: February 2, 2018

) **RE: RESERVATION ID: 170814242772**