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FOR COURT USE ONLY

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 ATTORNEY FOR (Name): Defendants

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda  
 STREET ADDRESS: 1221 Oak Street  
 MAILING ADDRESS: Administration Building, Third Floor  
 CITY AND ZIP CODE: Oakland, CA 94612  
 BRANCH NAME: Rene C. Davidson Courthouse

PLAINTIFF/PETITIONER: Ron Lee, et al.  
 DEFENDANT/RESPONDENT: Sharon Bowles, et al.

**CASE MANAGEMENT STATEMENT**  
 (Check one):  UNLIMITED CASE (Amount demanded exceeds \$25,000)  LIMITED CASE (Amount demanded is \$25,000 or less)

FILED  
 ALAMEDA COUNTY  
 SEP 09 2008  
 CLERK OF THE SUPERIOR COURT  
 By Molly Landry Deputy

CASE NUMBER:  
 RG 07363452

A CASE MANAGEMENT CONFERENCE is scheduled as follows:  
 Date: September 22, 2008 Time: 3:00 p.m. Dept.: 22 Div.: Room:  
 Address of court (if different from the address above):

**INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.**

- Party or parties (answer one):
  - This statement is submitted by party (name): Defendants
  - This statement is submitted jointly by parties (names):
- Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)
  - The complaint was filed on (date): December 28, 2007
  - The cross-complaint, if any, was filed on (date): February 28, 2008
- Service (to be answered by plaintiffs and cross-complainants only)
  - All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed.
  - The following parties named in the complaint or cross-complaint
    - have not been served (specify names and explain why not):
    - have been served but have not appeared and have not been dismissed (specify names):
    - have had a default entered against them (specify names):
  - The following additional parties may be added (specify names, nature of involvement in case, and the date by which they may be served):
- Description of case
  - Type of case in  complaint  cross-complaint (describe, including causes of action):  
 Complaint for declaratory relief and injunctive relief, cross-claim for accounting and restitution against individual plaintiff Ron Lee.

BY FAX

PLAINTIFF/PETITIONER: RON LEE, et al.	CASE NUMBER: RG 07363452
DEFENDANT/RESPONDENT: SHARON BOWLES, et al.	

4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*  
Individual plaintiffs, who are voting members and/or officers of plaintiff Our Redeemer Lutheran Church, as well as Our Redeemer Lutheran Church and The California-Nevada-Hawaii District of The Lutheran Church-Missouri Synod, allege that defendants, a splinter faction of Our Redeemer's congregation, have unilaterally purported to oust plaintiff Ron Lee as Our Redeemer's president, have disaffiliated themselves with the Lutheran Church-Missouri Synod, have installed a pastor contrary to District and Our Redeemer Lutheran Church's authority, and illegally claimed the right to exercise control over Our Redeemer's real and personal property, books, accounts, and membership rosters, to the exclusion of the plaintiffs and other faithful communicants of Our Redeemer and The Lutheran Church-Missouri Synod. Plaintiffs seek equitable relief by way of declaratory relief and injunction, including ejectment.
- (If more space is needed, check this box and attach a page designated as Attachment 4b.)*
5. **Jury or nonjury trial**  
The party or parties request  a jury trial  a nonjury trial *(if more than one party, provide the name of each party requesting a jury trial):*
6. **Trial date**  
a.  The trial has been set for *(date)*:  
b.  No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain):* See attached page.  
c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability):*  
April 13, 2009
7. **Estimated length of trial**  
The party or parties estimate that the trial will take *(check one)*:  
a.  days *(specify number):* 14  
b.  hours *(short causes) (specify):*
8. **Trial representation (to be answered for each party)**  
The party or parties will be represented at trial  by the attorney or party listed in the caption  by the following:  
a. Attorney:  
b. Firm:  
c. Address:  
d. Telephone number:  
e. Fax number:  
f. E-mail address:  
g. Party represented:  
 Additional representation is described in Attachment 8.
9. **Preference**  
 This case is entitled to preference *(specify code section):*
10. **Alternative Dispute Resolution (ADR)**  
a. Counsel  has  has not provided the ADR information package identified in rule 3.221 to the client and has reviewed ADR options with the client.  
b.  All parties have agreed to a form of ADR. ADR will be completed by *(date)*:  
c.  The case has gone to an ADR process *(indicate status)*:

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CASE NUMBER:  
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DEFENDANT/RESPONDENT: SHARON BOWLES, et al.

10. d. The party or parties are willing to participate in (*check all that apply*):

- (1)  Mediation
- (2)  Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 3.822)
- (3)  Nonbinding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 3.822)
- (4)  Binding judicial arbitration
- (5)  Binding private arbitration
- (6)  Neutral case evaluation
- (7)  Other (*specify*): The parties are in the process of completing initial discovery in an effort to participate in a meaningful mediation.

- e.  This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit.
- f.  Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
- g.  This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court (*specify exemption*):  
3.811(b)(1), equitable relief

## 11. Settlement conference

- The party or parties are willing to participate in an early settlement conference (*specify when*):  
January 2009

## 12. Insurance

- a.  Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights:  Yes  No
- c.  Coverage issues will significantly affect resolution of this case (*explain*):

## 13. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

- Bankruptcy  Other (*specify*):

Status:

## 14. Related cases, consolidation, and coordination

- a.  There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- Additional cases are described in Attachment 14a
- b.  A motion to  consolidate  coordinate will be filed by (*name party*):

## 15. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

## 16. Other motions

- The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):  
The parties believe that a motion for summary judgment may be appropriate after the close of discovery.

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DEFENDANT/RESPONDENT: SHARON BOWLES, et al.	

17. Discovery

- a.  The party or parties have completed all discovery.
- b.  The following discovery will be completed by the date specified (describe all anticipated discovery):

<u>Party</u>	<u>Description</u>	<u>Date</u>
All	Interrogatories; Requests for Production of Documents; Requests for Admission; Depositions.	January 2009

- c.  The following discovery issues are anticipated (specify): The parties are currently meeting and conferring regarding plaintiffs' responses to discovery. To the extent an agreement cannot be reached, defendants anticipate filing a motion to compel.

18. Economic Litigation

- a.  This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90 through 98 will apply to this case.
- b.  This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

19. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify): The parties have scheduled a meet and confer regarding discovery issues on September 10, 2008. In addition, the parties seek to request the Court to postpone the CMC currently scheduled for September 22, 2008, to during the first two weeks of November 2008 to allow the parties to resolve discovery issues and plan for mediation. The parties are currently in the process of drafting a joint stipulation to this effect.

20. Meet and confer

- a.  The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify): The parties agree to the matters set forth in this statement

21. Case management orders

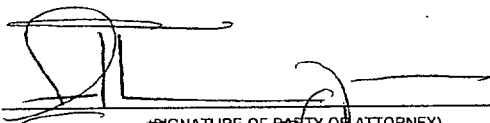
Previous case management orders in this case are (check one):  none  attached as Attachment 21.

22. Total number of pages attached (if any): 1

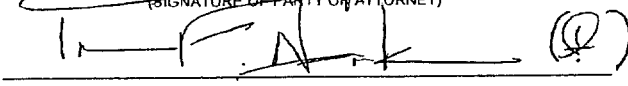
I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: September 9, 2008

Audra L. Thompson  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

▶   
 \_\_\_\_\_  
 (SIGNATURE OF PARTY OR ATTORNEY)

Timothy F. Noelker  
 \_\_\_\_\_  
 (TYPE OR PRINT NAME)

▶   
 \_\_\_\_\_  
 (SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached

**ATTACHMENT TO CASE MANAGEMENT STATEMENT**

*Ron Lee, et al. v. Sharon Bowles, et al.*  
Alameda Superior Court Case No. RG07363452

**Attachment 1b.**

Ron Lee, Naomi Gatzke, Joseph Thompson, Jr., Miriam Thompson Our Redeemer Lutheran Church, a not-for-profit religious corporation, and The California-Nevada-Hawaii District of The Lutheran Church-Missouri Synod, a not-for-profit religious corporation, Plaintiffs vs. Sharon Bowles, Mary-Ann Hill, Portia Ridgeway and Celia Moyer, Defendants  
Sharon Bowles, Mary-Ann Hill, Portia Ridgeway and Celia Moyer, Cross-Complainants v. Ron Lee, Cross-Defendant.

**Attachment 4b:**

Defendants allege that their actions were proper and/or justified, that plaintiffs are not officers or directors of Our Redeemer and lack capacity to bring the action in the name of Our Redeemer, and that the California-Nevada-Hawaii District of The Lutheran Church-Missouri Synod has no right, standing or capacity to sue defendants for ejectment. Defendants' also allege in a cross-complaint that plaintiff Ron Lee has acted improperly and in violation of the Constitution of Our Redeemer in undertaking the post of both Church President and Treasurer and has wasted, spoiled, converted and improperly distributed the funds and financial assets of Our Redeemer Lutheran Church. Plaintiff Ron Lee has denied the allegations raised in the cross-complaint.

**Attachment 6b:**

The parties have engaged in an extended series of initial pleadings. Because of this, as well as the parties' belief that, after discovery, motions for summary judgment may well be filed on both sides (which entails lead time for the Court's consideration), the parties request that trial of this matter would be set after April 13, 2009.

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**PROOF OF SERVICE**

*Ron Lee, et al. v. Sharon Bowles, et al.*  
Alameda Superior Court Case No. RG07363452

I am a resident of the state of California, I am over the age of 18 years, and I am not a party to this lawsuit. My business address is Duane Morris LLP, 633 West 5<sup>th</sup> Street, Suite 4600, Los Angeles, California 90071-2065. On the date set forth below, I served the following document(s):

**CASE MANAGEMENT STATEMENT**

on the interested party(ies) in this action in the following manner:

**[XX] BY MAIL:** On the date set forth below, at Los Angeles, California, I placed the document(s) in a sealed envelope(s), addressed as set forth below, for collection and mailing with the United States Postal Service. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. According to that practice, the correspondence will be deposited with the United States Postal Service that same day in the ordinary course of business, with first-class prepaid postage thereon. Service made pursuant to CCP § 1013a(3), upon motion of a party served, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in the affidavit.

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Facsimile: (202) 346-4444

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

Executed on September 9, 2008, at Los Angeles, California.

  
\_\_\_\_\_  
Greta Clark