

If you owned a home or lived at the De Anza Cove mobilehome park in San Diego, this Court-ordered Notice may affect your rights.

Please read this Court-ordered Class Action Notice.

If you've owned or lived in a mobilehome at 2727 De Anza Road, San Diego, California, you may be affected by a class action lawsuit filed in San Diego Superior Court called *De Anza Cove Homeowners Association, Inc. et al. v. City of San Diego*, case number GIC 821191. This Court-Ordered Notice informs you of:

- Plaintiffs' and Defendant's claims in the Litigation
- This Court's rulings on whether certain laws apply
- This Court's certification of the Class
- Your right to continue to participate in, or exclude yourself from, the Plaintiff Class

WHAT IS THIS CASE ABOUT? Plaintiffs allege that California's Mobilehome Residency Law applies and that the City of San Diego violated that law when the City sought to close the mobilehome park and evict De Anza Cove's homeowners and residents without first conducting a tenant impact report, providing mandatory relocation assistance, and providing adequate relocation benefits and replacement housing payments. Plaintiffs seek monetary damages, an injunction, and other relief. The City has denied all Plaintiffs' allegations, denied that the Mobilehome Residency Law applies, denied that the City sought to close the mobilehome park, and contends that it acted in accordance with all applicable laws. This Court has now ruled that: (1) the Mobilehome Residency Law applies, (2) the City was under a mandatory duty to comply with the Mobilehome Residency Law, and (3) the City of San Diego violated state law. Trial will begin on September 10, 2007, where Plaintiffs will seek relocation benefits, statutory penalties, and other relief, to which the City disputes such entitlement.

AM I AFFECTED BY THIS LITIGATION? This Court has defined the Class as: "*All persons who were homeowners and/or residents on October 22, 2003 and currently remain homeowners and/or residents or are heirs of homeowners or residents of the mobilehome park now known as Mission Bay Park and formerly known as De Anza Harbor Resort, located at 2727 De Anza Road, San Diego, California (Park) and who have not entered into settlement agreements, and former homeowners or residents and their heirs who resided at the Park on October 22, 2003 and voluntarily vacated the premises without entering into a settlement agreement.*"

HOW DO I REMAIN A CLASS MEMBER? You don't need to do anything at this time. This Court has approved the law firms of Thorsnes, Bartolotta & McGuire and Tatro & Zamoyski, LLP to act as Plaintiffs'

Class Counsel and represent all Class Members. Class Members will be bound by all Court orders, rulings, and judgments, whether favorable or not. Any claims that you have against the City concerning the allegations briefly summarized in this Notice will be determined by the final resolution of this case. The Action will not be dismissed, settled, or compromised without approval of this Court.

WHAT WILL IT COST ME? As a Class Member, you do not have to pay Class Counsel out-of-pocket. Instead, if they obtain a recovery, they will ask this Court to order reasonable attorneys' fees and costs be paid by the Defendant and/or from funds recovered on your behalf. If Plaintiffs don't prevail, Class Members will not be responsible for payment of attorneys' fees or costs. You can also opt to have your own lawyer represent you.

SHOULD I EXCLUDE MYSELF FROM THE CLASS? If you do not want your rights determined in the Litigation, you can choose to exclude yourself from the Class. By electing to be excluded, you will not be bound by any decision in the Action and you may present any claims by filing your own separate lawsuit. If you exclude yourself, Class Counsel will not represent you and you must act quickly to protect your legal rights or may lose them. If you want the Court to exclude you from the Class, send a letter listing your name, current address, phone number, and De Anza space number, along with a statement that you want to be excluded from the Class and your signature. **To remain a Class Member, DO NOT submit an exclusion request.** To be valid, all exclusion requests must be mailed and postmarked on or before September 4, 2007 to:

De Anza Cove Class Exclusion Requests
c/o Gilardi & Co., LLC
P.O. Box 8060
San Rafael, CA 94912-8060

WHAT IF I WANT MORE INFORMATION? If you want more information, **please read the Notice of Class Action accompanying this summary Notice.** You can also write to Class Counsel at Tatro & Zamoyski, LLP, 12264 El Camino Real, Suite 400, San Diego, CA 92130. **Please do not phone the Court.** All Court records may be examined at the Clerk's office, San Diego Superior Court, 330 West Broadway, San Diego, CA 92101.

**By Order of the Honorable Charles R. Hayes
Judge of the Superior Court of the State of California,
County of San Diego**