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CONFORMED COPY  
ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

JAN 20 2017

Shirley A. Garler, Executive Officer/Clerk  
By: Judi Lara, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

BOTTLEBRUSH INVESTMENTS, L.P.,  
a California limited partnership,

Plaintiff,

v.

THE LAMBETH COMPANY, a  
California limited partnership, et al.,

Defendants.

CONSOLIDATED WITH:

LEGHORN INVESTMENTS, LTD., a  
California limited partnership,

Plaintiff,

v.

CASE No. BC 407967

Assigned for All Purposes to the Honorable  
Elizabeth Allen White, Department 48

Complaint Date: February 8, 2009

**PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF DERIVATIVE  
SETTLEMENT AND FOR  
PLAINTIFFS' ATTORNEYS' FEES  
AND INCENTIVE AWARDS IN  
CONNECTION WITH THE  
DERIVATIVE SETTLEMENT**

CASE NO.: BC 408661

{00063406.DOCX;2}

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF DERIVATIVE SETTLEMENT AND FOR  
PLAINTIFFS' ATTORNEYS' FEES AND INCENTIVE AWARDS IN CONNECTION WITH THE  
DERIVATIVE SETTLEMENT**

1 BRIGHTON INVESTMENTS, LTD., a  
2 California limited partnership, et al,

3 Defendants.

4 AND RELATED CROSS-ACTIONS

5  
6 DOUGLAS HALL, as Co-Trustee of the  
7 VIVIAN H. HALL IRA and Derivatively  
8 on Behalf of CRESCENT SECURITIES,

9 Plaintiff,

10 v.

11 PAMELA CHAIS as executor of the  
12 estate of STANLEY CHAIS, et al.

13 Defendants,

14 and

15 THE POPHAM COMPANY,

16 First Nominal Defendant,

17 and

18 MARLOMA SECURITIES,

19 Second Nominal Defendant.

20 Consolidated with

21 STEVEN HEIMOFF, as Trustee of the  
22 STEVEN HEIMOFF IRA and  
23 Derivatively on behalf of MARLOMA  
24 SECURITIES,

25 Plaintiff,

26 v.

27 PAMELA CHAIS as executor of the  
28 estate of STANLEY CHAIS, et al,

Defendants,

and

THE POPHAM COMPANY,

[Related to Case Nos. BC 409658, BC  
413821, BC 413820 BC 422257 and BC  
456932]

March 1, 2017  
Time: 8:30 a.m.  
Department: 48

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**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF DERIVATIVE SETTLEMENT AND FOR  
PLAINTIFFS' ATTORNEYS' FEES AND INCENTIVE AWARDS IN CONNECTION WITH THE  
DERIVATIVE SETTLEMENT**

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First Nominal Defendant,  
and  
MARLOMA SECURITIES,  
Second Nominal Defendant.

1 **TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:**

2 PLEASE TAKE NOTICE that on March 1, 2017, at 8:30 a.m. or as soon thereafter as  
3 the matter may be heard, in Dept. 48 of the above-entitled Court, Plaintiffs Bottlebrush  
4 Investments, L.P., derivatively on behalf of The Lambeth Company; Leghorn Investments, Ltd.,  
5 derivatively on behalf of The Brighton Company; Douglas Hall, as Co-Trustee of the Vivian  
6 Hall IRA, derivatively on behalf of both The Popham Company and one of its limited partners,  
7 Marloma Securities; and Steven Heimoff, as Trustee of the Steven Heimoff IRA, derivatively on  
8 behalf of both The Lambeth Company and one of its limited partners, Crescent Securities  
9 (“Plaintiffs”) will, and hereby do, move the Court for an award approving the derivative  
10 settlement (the “Settlement”) between Plaintiffs and the Stanley Chais Defendants<sup>1</sup> and the Chais  
11 Related Defendants<sup>2</sup> (collectively, the “Settling Defendants”) and for Plaintiffs’ attorneys’ fees

12 <sup>1</sup> The Stanley Chais Defendants are the Estate of Stanley Chais; Pamela Chais; Appleby  
13 Productions Ltd.; Appleby Productions Ltd. Defined Contribution Plan; Appleby Productions  
14 Ltd. Money Purchase Plan; Appleby Productions Ltd. Profit Sharing Plan; Chais Investments,  
15 Ltd.; Chais 1991 Family Trust; and the Chais Family Foundation.

16 <sup>2</sup> The Chais Related Defendants are Emily Chasalow; Mark Chais; William Chais; Michael  
17 Chasalow; Miri Chais, Wrenn Chais; 1994 Trust for the Children of Stanley and Pamela Chais;  
18 1996 Trust for the Children of Stanley and Pamela Chais, referred to in the Complaint as The  
19 1996 Trust for the Children of Pamela Chais And Stanley Chais; 1999 Trust For The Children Of  
20 Stanley And Pamela Chais; 1999 Trust for the Grandchildren of Stanley and Pamela Chais;  
21 Emily Chais 1983 Trust; Emily Chais Trust No. 1, Emily Chais Trust No. 2, and Emily Chais  
22 Trust No. 3, referred to collectively in the Complaint as The Emily Chais Trust; Emily Chais  
23 Issue Trust No. 1 and Emily Chais Issue Trust No. 2, referred to collectively in the Complaint as  
24 The Emily Chais Issue Trust; Mark Hugh Chais Trust No. 1, Mark Hugh Chais Trust No. 2, and  
25 Mark Hugh Chais Trust No. 3, referred to collectively in the Complaint as The Mark Hugh Chais  
26 Trust; Mark Hugh Chais Issue Trust No. 1 and Mark Hugh Chais Issue Trust No. 2, referred to  
27 collectively in the Complaint as The Mark Hugh Chais Issue Trust; Mark Hugh Chais 1983  
28 Trust; William Frederick Chais Trust No. 1, William Frederick Chais Trust No. 2, and William  
Frederick Chais Trust No. 3, referred to collectively in the Complaint as The William Frederick  
Chais Trust; William Frederick Chais Issue Trust No. 1 and William Frederick Chais Issue Trust  
No. 2, referred to collectively in the Complaint as The William F. Chais Issue Trust; William  
Frederick Chais 1983 Trust; The William and Wrenn Chais 1994 Family Trust; Ari Chais 1999  
Trust; Ari Chais Transferee Trust No. 1, referred to in the Complaint as The Ari Chais  
Transferee #1 Trust; Benjamin Paul Chasalow 1999 Trust; Benjamin Paul Chasalow Transferee  
Trust No. 1, referred to in the Complaint as The Benjamin Paul Chasalow Transferee #1 Trust;  
Chloe Frances Chais 1994 Trust, referred to in the Complaint as The Chloe Francis Chais 1994  
Trust; Chloe Frances Chais Transferee Trust No. 1, referred to in the Complaint as The Chloe

1 and incentive awards in connection with the derivative settlement.

2 This motion is made pursuant to an order entered by this Court on November 29, 2016.

3 This motion is supported by this Notice, the attached Memorandum of Points and  
4 Authorities, Plaintiffs' Counsel's Joint Declaration in support of Plaintiffs' Motion for Final  
5 Approval of Derivative Settlement and for Attorneys' Fees and Incentive Awards in Connection  
6 with the Derivative Settlement, the exhibits attached thereto, the papers and pleadings on file in  
7 this action, and such additional argument or evidence as may be presented prior to or at the  
8 hearing of this matter.

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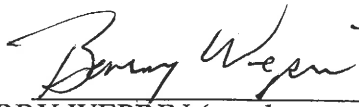

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19 Francis Chais Transferee #1 Trust; Jonathan Wolf Chais 1996 Trust, referred to in the Complaint  
20 as The Jonathan Wolf Chais Trust; Jonathan Chais Transferee Trust No. 1, referred to in the  
21 Complaint as The Jonathan Chais Transferee #1 Trust; Justin Robert Chasalow 1999 Trust;  
22 Justin Robert Chasalow Transferee Trust No. 1, referred to in the Complaint as The Justin Robert  
23 Chasalow Transferee #1 Trust; Madeline Celia Chais 1992 Trust; Madeline Chais Transferee  
24 Trust No. 1, referred to in the Complaint as The Madeline Chais Transferee #1 Trust; Rachel  
25 Allison Chasalow 1999 Trust; Rachel Allison Chasalow Transferee Trust, referred to in the  
26 Complaint as The Rachel Allison Chasalow Transferee #1 Trust; Tali Chais 1997 Trust; Tali  
27 Chais Transferee Trust No. 1, referred to in the Complaint as The Tali Chais Transferee #1 Trust;  
Unicycle Trading Company; Unicycle Corp., individually and as the General Partner of Unicycle  
Trading Company; Unicycle Corporation Money Purchase Plan; Onondaga, Inc., individually  
and as General Partner of Chais Investments Ltd.; The Onondaga, Inc. Money Purchase Plan;  
The Onondaga, Inc. Defined Benefit Pension Plan; Chais Management, Inc., individually and as  
General Partner of Chais Management Ltd.; Chais Management Ltd.; and Chais Venture  
Holdings.

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1 DATED: January 19, 2017

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**PROOF OF SERVICE**

I am a citizen of the United States, employed in the City and County of Los Angeles, California. My business address is 10250 Constellation Blvd., Suite 2900, Los Angeles, California 90067. I am over the age of 18 years and not a party to the within action. On today's date, I caused to be served the following:

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF DERIVATIVE SETTLEMENT AND FOR PLAINTIFFS' ATTORNEYS' FEES AND INCENTIVE AWARDS IN CONNECTION WITH THE DERIVATIVE SETTLEMENT**

- I am readily familiar with the firm's practice of collection and processing correspondence for mailing in the ordinary course of business. Under this practice, correspondence is collected, sealed, postage thereon fully prepaid, and deposited the same day with the U. S. Postal Service.
- I caused the above documents to be served on the parties in this action by placing them in a sealed envelope in the designated area for outgoing mail, addressed as shown below.
- I caused the above documents to be personally delivered to the addressee(s) set forth below.
- I caused the above documents to be served on the parties in this action by causing them to be delivered via Federal Express, for next-day delivery to the addressee(s) set forth below.
- I caused the above documents to be served on the parties in this action by transmitting them via facsimile to the addressee(s) indicated below.
- I transmitted a copy of the document(s) to be sent from e-mail address [jandre@weintraub.com](mailto:jandre@weintraub.com) to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**SEE ATTACHED SERVICE LIST**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 20, 2017, in Los Angeles, California.

  
\_\_\_\_\_  
Janet Andre

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