

By /s/ Peta Roberts  
Deputy Clerk

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8 Attorney for Plaintiffs  
9 FRANCISCAN RESIDENT ADVISORY  
10 COMMITTEE, et al.

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 IN AND FOR THE CITY AND COUNTY OF SAN MATEO  
13 UNLIMITED JURISDICTION

14 FRANCISCAN RESIDENT ADVISORY  
15 COMMITTEE; and PLAINTIFF CERTIFIED  
16 CLASS,

17 Plaintiffs,

18 vs.

19 WAYNE PODESTA, individually and as  
20 Trustee of the Wayne Podesta 2011 Revocable  
21 Trust Agreement Dated August 4, 2011, as  
22 Amended and Republished; PODESTA  
23 FAMILY INVESTMENTS II, LLC; GARY  
24 JOHN PODESTA, JR., individually and as  
25 Successor Trustee of the Gary Podesta Trust  
26 Agreement dated July 19, 2007, and DOES 1 to  
27 50, Inclusive,

28 Defendants.

Case No.: 23-CIV-01597

Assigned for All Purposes to:  
Hon. Michael L. Mau, Dept. 20

PLAINTIFF FRANCISCAN RESIDENT  
ADVISORY COMMITTEE AND  
PLAINTIFF CERTIFIED CLASS' POST-  
ADR CASE MANAGEMENT AND TRIAL  
SETTING CONFERENCE STATEMENT

Date: June 22, 2026  
Time: 9:00 a.m.  
Dept: 20 **ROOM: L**  
1050 Mission Road  
South San Francisco, CA 94080

Complaint Filed: April 10, 2023  
Trial Date: None

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3 Pursuant to San Mateo Superior Court Local Rule 3.1000, Plaintiff Franciscan Resident  
4 Advisory Committee and Plaintiff Certified Class (“Plaintiffs”) submit their Post-ADR Case  
5 Management Statement as follows:

6 **Rule 3.727 Subjects to be considered:**

7 **(1) Related Cases**

8 In the related class action case, *Franciscan Resident Advisory Committee, et al. v. LINC*  
9 *Housing Corporation, et al.*, San Mateo Superior Court Case Number CIV 504495, the parties  
10 have executed an amended Disposition Agreement to transfer the Franciscan Mobile Home Park  
11 to Franciscan Resident Advisory Committee (FRAC), as a limited equity housing cooperative,  
12 which will enable the residents to own their own mobile home park, as contemplated by the  
13 Settlement Agreement and Judgment in that case.

14 **(2) Whether all parties have been served, have appeared, or been dismissed**

15 The case is at issue since all parties have appeared.

16 **(3) Whether any additional parties may be added or the pleadings may be amended**

17 Plaintiffs do not anticipate adding any additional parties or amending the pleadings at this  
18 time.

19 **(4) Limited Civil Case – N/A**

20 **(5) Matters that may affect jurisdiction or processing of the case**

21 Plaintiffs are not aware of any issues that would affect jurisdiction or processing of the  
22 case at this time.

23 **(6) ADR**

24 The parties participated in mediation with David Finkelstein. No resolution was reached.

25 **(7) Early Settlement Conference**

26 This case could benefit from an early settlement conference on the first available date.  
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2 **(8) Completion of Discovery**

3 Plaintiffs have completed written discovery and party depositions, but they reserve the  
4 right to serve supplemental requests.

5 **(9) Anticipated Discovery Issues**

6 None at this time.

7 **(10) Whether the case should be bifurcated or a hearing should be set for a motion**  
8 **to bifurcate under CCP § 598**

9 Plaintiffs seek a bifurcation of the case so that the equitable issues encompassed in the  
10 first cause of action for declaratory relief may be heard first by the Court in a bench trial.

11 Plaintiffs also request that a trial date on the declaratory relief action be heard as soon as possible  
12 to ensure that Plaintiffs receive the benefits of the settlement agreement/judgment in the related  
13 case, *i.e.*, transfer of the Franciscan Mobile Home Park to Plaintiff Franciscan Resident Advisory  
14 Committee.

15 Plaintiff's motion for bifurcation and for trial preference is set for hearing on October 9,  
16 2026. At the time the motion was filed, a hearing date of July 31 was available. However, the  
17 filing clerk assigned a hearing date two months later -- October 9, 2026. Plaintiffs request that  
18 October 9 hearing date be advanced to an earlier date.

19 **(11) Cross-complaints – N/A**

20 **(12) Statutory preference**

21 Plaintiffs are entitled to preference pursuant to Code of Civil Procedure section 1062.3(b)  
22 for the Declaratory Relief case of action.

23 **(13) Jury trial demand**

24 Plaintiffs have demanded a jury trial and they paid jury fees prior to the first case  
25 management conference.

26 **(14) Trial dates**

27 Plaintiffs are ready for trial on the first available dates.

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2 **(15) Estimated length of trial**

3 If Plaintiffs' motion to bifurcate is granted, the time estimate for the court trial is 3-4  
4 days. The time estimate for the jury trial for the second cause of action seeking damages is 10  
5 days.

6 **(16) Nature of the injuries**

7 The operative Second Amended Complaint for Declaratory Relief and for Monetary  
8 Damages filed on April 23, 2024, sets forth two causes of action. The first cause of action seeks  
9 a declaration of Plaintiffs' right to an assignment of a ground lease underlying a portion of the  
10 Franciscan Mobile Home Park, consent to which is being unreasonably withheld by Defendants.  
11 The fourth cause of actions seeks monetary damages for intentional interference with contractual  
12 relations.

13 **(17) Amount of damages**

14 If Defendants succeed in blocking the transfer of the Franciscan Mobile Home Park to  
15 Plaintiffs who are the residents of the Park, then the universe of damages includes the lost equity  
16 in the Franciscan Park and the underlying fee interest in the land which exceeds \$100 million.

17 **(18) Any additional relief sought**

18 Plaintiffs will seek attorney's fees based upon the private attorney general statutes,  
19 *Serrano v. Priest*.

20 **(19) Insurance coverage issues**

21 Plaintiffs are unaware of any insurance coverage issues.

22 **(20) Any other matters**

23 Plaintiffs request that the Court advance the October 9 hearing date on its motion for  
24 bifurcation and for preference so that a trial date may be set to hear the declaratory relief cause of  
25 action at the earliest possible date.  
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2 **Rule 3.727 Other facts and circumstances to be considered:**

3 This case was filed on April 10, 2023. Defendants have filed numerous pleading  
4 challenges, and they requested an extended ADR period of time to complete mediation which  
5 request was another bad-faith delay tactic. Plaintiffs request that a hearing date on its motion for  
6 bifurcation and for preference be advanced so that a trial date for a court trial may be set on the  
7 declaratory relief cause of action sometime in 2026. In the meantime, Plaintiffs request that this  
8 case be set for a mandatory settlement conference as soon as possible.

9 **Status of discovery and expert witness discovery**

10 Plaintiffs have completed written discovery and party depositions. No expert discovery  
11 has occurred.

12 Respectfully submitted,

13 *Shelley S. Buchanan*

14 Dated: June 8, 2026

15 \_\_\_\_\_  
16 SHELLEY S. BUCHANAN,  
17 Attorney for Plaintiffs  
18 FRANCISCAN RESIDENT ADVISORY  
19 COMMITTEE and PLAINTIFF CERTIFIED  
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**PROOF OF SERVICE**

I, Shelley Buchanan, declare as follows:

My business address is 912 Cole Street, PMB #120, San Francisco, California 94117.

My email address for electronic service is ssbuchananlaw@gmail.com. I served the following documents:

PLAINTIFF FRANCISCAN RESIDENT ADVISORY COMMITTEE AND PLAINTIFF  
CERTIFIED CLASS' POST-ADR CASE MANAGEMENT AND TRIAL SETTING  
CONFERENCE STATEMENT

on June 8, 2026, via electronic service pursuant to Code Civil Procedure section 1010.6:

David P. Uccelli, Esq.  
du@uccellilaw.com  
Law Office of David P. Uccelli  
50 Woodside Plaza, #312  
Redwood City, CA 94061-2500

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

Dated: June 8, 2026

*Shelley Buchanan*

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SHELLEY BUCHANAN