

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

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15 * Admitted *Pro Hac Vice*

16 Attorneys for Specially Appearing Defendant
17 and Cross-Defendant Cirrus Design Corporation

18
19 SUPERIOR COURT OF THE STATE OF CALIFORNIA
20 FOR THE COUNTY OF SAN MATEO

21 VALERIA ANSELMI,
22 Plaintiff,

23 vs.

24 ESTATE OF WILLIAM GOLDMAN, Deceased,
DDLV, a California limited liability company,
25 and DOES 1 through XX, Inclusive,
26 Defendants.

No.: 18-CIV-03641
Related/Consolidated Case No.: 19-CIV-03871

**REQUEST BY SPECIALLY APPEARING
DEFENDANT CIRRUS DESIGN
CORPORATION FOR CONTINUANCE OF
HEARING ON CONTINENTAL
AEROSPACE TECHNOLOGIES, INC.'S
MOTION FOR DETERMINATION OF
APPLICABLE LAW; [PROPOSED]
ORDER CONTINUING HEARING ON
MOTION**



28 18-CIV-03641

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DDLV, LLC,

Cross-Complainant,

v.

MATTITUCK SERVICES, INC.; CIRRUS
DESIGN CORPORATION; CONTINENTAL
MOTORS, INC; WOODLAND AVIATION,
INC.; and MOES 1-20, Inclusive,

Cross-Defendants.

Subject to and without waiving its defense of lack of personal jurisdiction, Specially Appearing Defendant Cirrus Design Corporation (Cirrus) requests that the Court continue the hearing on the motion for determination of applicable law filed by Continental Aerospace Technologies, Inc., formerly Continental Motors, Inc. (Continental) that is set for August 14, 2020 at 1:30 p.m. Cirrus requests that the hearing be continued until there is a final decision on its writ petition with the Court of Appeal, First District, Case No. A160363. The writ petition seeks an order directing this Court to grant Cirrus' motion to quash service of summons for lack of personal jurisdiction in *Goldman v. Mattituck, et al.* (Case No. 19-CIV-03871).

Cirrus makes this request for the following reasons:

- Cirrus is unable to oppose Continental's motion while its writ petition is pending without risk of waiving its right to challenge this Court's exercise of personal jurisdiction over it.
- If Cirrus' writ petition is denied, it has a direct and substantial interest in which law applies to the claims and defenses in the consolidated cases of *Anselmi v. Goldman, et al.* (Case No. 18-CIV-03641) and *Goldman v. Mattituck, et al.* (Case No. 19-CIV-03871).
- Cirrus would be prejudiced if this Court determines the applicable law in these cases without having the opportunity to brief and argue the issues presented by Continental's motion. Should Cirrus ultimately remain a party in California, it would be unfair if it did not have an opportunity to address and respond to the choice of law arguments presented in Continental's motion.
- No party in these consolidated cases will be prejudiced if the Court continues its


1 hearing on Continental's motion. Indeed, Plaintiffs have stipulated to continuing setting a trial date
2 until there has been a final decision on the writ petition.

3 • In addition, this Court has continued issuing a ruling on Cirrus' motion to quash in
4 the *Anselmi* case until there has been a final decision on the writ petition.

5 Thus, for the above reasons, Cirrus respectfully requests that the Court continue its hearing
6 on Continental's motion for determination of applicable law until there has been a final decision on
7 Cirrus' writ petition.

8
9 DATED: July 23, 2020

10 REED SMITH LLP

11 
12 By:

13 Phillip Babich
14 Patrick E. Bradley
15 Catherine E. Kiernan
16 James C. Martin
17 Attorneys for Specially Appearing Defendant
18 Cirrus Design Corporation

19 **[PROPOSED] ORDER**

20 **IT IS ORDERED** that the motion for determination of applicable law by Continental Aerospace
21 Technologies, Inc., formerly Continental Motors, Inc. (Continental) that is set for August 14, 2020
22 at 1:30 p.m. is continued until there is a final decision on the writ petition by Cirrus Design
23 Corporation (Cirrus) with the Court of Appeal, First District, Case No. A160363.

24 DATED: July ___, 2020

25 _____
26 Honorable Nancy L. Fineman
27 Superior Court Judge
28 San Mateo County Superior Court

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is REED SMITH LLP, 101 Second Street, Suite 1800, San Francisco, California 94105-3659. On July 23, 2020, I served the following document(s) by the method indicated below:

REQUEST BY SPECIALLY APPEARING DEFENDANT CIRRUS DESIGN CORPORATION FOR CONTINUANCE OF HEARING ON CONTINENTAL AEROSPACE TECHNOLOGIES, INC.'S MOTION FOR DETERMINATION OF APPLICABLE LAW; [PROPOSED] ORDER CONTINUING HEARING ON MOTION

- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Abu Dhabi, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.
- by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service (**UPS**) for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below.
- by transmitting via the Court's Odyssey filing vendor GreenFiling.com to the parties listed below:
- by transmitting via email to the parties at the email addresses listed below:

| | |
|--|---|
| Michael S. Danko Kristine Meredith Claire Y. Choo DANKO MEREDITH 333 Twin Dolphin Drive, Suite 145 Redwood Shores, CA 94065 Telephone: (650) 453-3600 Fax: (650) 394-8672 Email: mdanko@dankolaw.com cchoo@dankolaw.com kmeredith@dankolaw.com | <i>Attorneys for Plaintiffs</i> SERRA FALK GOLDMAN, individually, as personal representative of the Estate of William Goldman, as personal representative of the Estate of Marie G., and as guardian ad litem of her minor child, George G.; and GEORGE G. a minor, by and through his guardian ad litem |
| Will S. Skinner SKINNER LAW GROUP 21600 Oxnard Street, Suite 1760 Woodland Hills, CA 91367 Telephone: (818) 710-7700 Fax: (818) 710-7701 Email: skinner@skinnerlawgroup.com | <i>Attorneys for Defendant</i> CONTINENTAL MOTORS, INC. |

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| <p>Sherri Rich Ginger Mark B. Roberts AMRBRECHT JACKSON, LLP RSA Tower, 27th Floor 11 North Water Street Mobile, AL 36602 Telephone: (251) 405-1300 Fax: (251) 432-6843 Email: srg@ajlaw.com mbr@ajlaw.com</p> | <p><i>Attorneys for Defendant</i> CONTINENTAL MOTORS, INC.</p> |
| <p>Timothy J. Ryan Rebekka R. Martorano THE RYAN LAW GROUP 400 Capitol Mall, Suite 2540 Sacramento, CA 95814 Telephone: (916) 924-1912 Fax: (916) 923-3872 Email: tryan@ryanlg.com rmartorano@ryanlg.com mahmadi@ryanlg.com</p> | <p><i>Attorneys for Defendant</i> WOODLAND AVIATION, INC.</p> |
| <p>John R. Hanson, Esq. Mackenzie C. Foellmer, Esq. WORTHE HANSON & WORTHE A Law Corporation 1851 East First Street, Ninth Floor Santa Ana, CA 92705 Telephone: (714) 285-9600 Fax: (714) 285-9700 Email: jhanson@whwlawcorp.com</p> | <p><i>Attorneys for Defendant</i> DDLV, LLC</p> |

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on July 23, 2020, at San Francisco, California.



April E. Henderson