

**Litigation (Non Required Civil Code Sec. 4525)**  
**133 Promenade Walk Corporation**

Order: 29MNSXQVR  
Address: 133 The Promenade N Unit 317  
Order Date: 04-22-2025  
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**133 PROMENADE WALK CORPORATION**  
A California Non-Profit Mutual Benefit Corporation

**LITIGATION DISCLOSURE**  
**February 2025**

**1. Homeowner v. 133 Promenade Walk Corporation (Los Angeles County Superior Court Case No. 24LBCV00670)**

On April 3, 2024, Homeowner filed a lawsuit in the Los Angeles County Superior Court against 133 Promenade Walk Corporation ("Association"), arising out of claims of water intrusion into Homeowner's Unit. Homeowner alleges that Association failed to maintain and repair common area, thereby allowing rainwater to intrude into the Unit. Homeowner's Complaint pleads causes of action for Breach of Governing Documents, Enforcement of Equitable Servitudes, Breach of Implied Covenant of Good Faith and Fair Dealing, Breach of Fiduciary Duty, Negligence, Nuisance, Trespass, and Declaratory Relief. Homeowner seeks compensatory and punitive damages, injunctive relief, a judicial declaration of the rights of the parties, attorneys' fees and costs of suit. The filing of the lawsuit followed a mediation proceeding which did not result in a settlement of the dispute.

The Association was served with the Complaint on April 4, 2024. The Association filed its Answer to the Complaint on May 8, 2024, and filed a First Amended Answer on May 31, 2024.

The case has been assigned to the Hon. Mark Kim as judge for all purposes. A Case Management Conference was held September 12, 2024, and continued to November 14, 2024. At the November 2024 Case Management Conference, the Court set a Final Status Conference for July 11, 2025 and a Trial date of July 14, 2025.

Discovery is underway.

The Association's insurer has denied coverage for Homeowner's claim based on policy exclusions, including an exclusion for rain entering a building interior, and is not providing a defense.

**2. California Consultants v. 133 Promenade Walk Corporation (Los Angeles County Superior Court Case No. 24LBCV02207)**

On October 10, 2024, California Consultants filed a lawsuit in Los Angeles County Superior Court against 133 Promenade Walk Corporation ("Association") and Mark Neamtu (a former Director). The Complaint alleges Breach of Written Contract, Breach of Oral Contract, Common Counts, Unjust Enrichment, Conversion and Negligence. The Complaint further alleges that the Association has failed to pay California Consultants

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\$52,907.00 pursuant to the terms of the contract. California Consultants also alleges it is owed an additional \$129,979.41 in interest, late fees and attorneys' fees.

The Association was served with the Complaint on November 15, 2024. On December 16, 2024, the Association filed a Motion to Compel Arbitration and Stay Proceedings based on arbitration provisions in the contract as alleged in the Complaint. The Motion is set for hearing May 27, 2025.

The case has been assigned to the Hon. Mark Kim as judge for all purposes. A Case Management Conference is scheduled for March 10, 2025.

The Association's insurer has agreed to provide a defense to the Association and Mr. Neamtu and has assigned legal counsel.

**NON-REPRESENTATION OF INDIVIDUAL ASSOCIATION MEMBERS**

Please be advised that the attorneys retained to represent the Association do not represent the interests of any individual member of the Association.

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Signature

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Signature