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FILED  
SUPERIOR COURT  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO DISTRICT

AUG 28 2009

By  Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN BERNARDINO

ARROWHEAD WOODS  
ARCHITECTURAL COMMITTEE, INC. a  
California corporation,

Plaintiff,

v.

MILL POND PARTNERS, L.P., a Limited  
Partnership, and all person unknown claiming  
any legal or equitable right, title, estate, lien or  
interest in the property described in the  
complaint, named as DOES 1 to 50, inclusive,

Defendants.

Case No. CIVSS 900262

Hon. W. Robert Fawke. Department S 38

ORDER TO REQUIRE AN  
UNDERTAKING

Date: August 18, 2009

Time: 8:30 a.m.

Dept.: S 38

Judge: Hon. W. Robert Fawke

Complaint Filed: January 12, 2009

Defendant Mill Pond Partners, L.P.'s motion for an order to require an undertaking came on regularly for hearing on August 18, 2009 at 8:30 a.m. the Hon. W. Robert Fawke, presiding. Steven S. Wall, Esq. of Luce, Forward, Hamilton & Scripps, LLP appeared on behalf of defendant Mill Pond Partners, L.P., the moving party. John L. Bailey, Esq. of Hall & Bailey appeared on behalf of defendant Pacific Mortgage Exchange, Inc. John G. Wurm, Esq. of the Law Offices of John G. Wurm appeared on behalf of plaintiff Arrowhead Woods Architectural Committee, Inc.

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After consideration of the pleadings and papers on file herein, the arguments of counsel, the file in this case, and good cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. Plaintiff shall deliver to defendant Mill Pond Partners, L.P. an undertaking in the amount of \$10,000,000.00; and

2. Plaintiff shall appear in this court on October 2, 2009 at 8:30 a.m. to show proof of the posting of said undertaking.

IT IS SO ORDERED.

Dated: <sup>288</sup> ~~August 18~~, 2009

  
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Hon. W. Robert Fawke,  
Judge of the Superior Court

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