In the

SUPREME COURT
FILED

Supreme Court

of the

MAR **18** 2013

State of California

Frank A. McGuire Clerk

Deputy

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff and Appellant,

 \mathbf{V} .

PAUL BIANE, MARK KIRK, JAMES ERWIN, JEFFREY BURUM,

Defendants and Respondents.

AFTER A DECISION BY THE COURT OF APPEAL,
FOURTH APPELLATE DISTRICT, DIVISION TWO
CASE NO. E054422,
SAN BERNARDINO COUNTY SUPERIOR COURT
CASE NO. FSB 1102102
HON. BRIAN MCCARVILLE, JUDGE

RESPONDENT PAUL BIANE'S JOINDER TO JEFFREY BURUM'S MOTION REQUESTING BRIEFING ON THE ADDITIONAL ISSUE OF THE STATUTE OF LIMITATIONS.

LAW OFFICE OF DAVID M. GOLDSTEIN DAVID M. GOLDSTEIN (SBN 118764) 10535 FOOTHILL BOULEVARD SUITE300

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ATTORNEY FOR DEFENDANT AND RESPONDENT,
PAUL BIANE

I. MR. BIANE JOINS MR. BURUM'S MOTION

By this motion, Defendant/Respondent Paul Biane joins Defendant Jeffrey Burum's motion requesting briefing on the additional issue of the statute of limitations.

Respectfully submitted,

Dated: March 15, 2013

By:

David M. Goldstein

Attorney for Defendant/Respondent

PAUL BIANE

PROOF OF SERVICE BY MAIL

(CCP §§ 1013A, 2015)

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action. My business address is: 10535 Foothill Blvd. Suite 300, Rancho Cucamonga, CA 91730.

On <u>March 15, 2013</u>, I served the forgoing documents described as: **Respondent Paul Biane's Joinder to Jeffrey Burum's Motion Requesting Briefing on Statue of Limitations** on the interested parties in this action, by placing a true copy thereof enclosed in a sealed envelopes addressed as follows:

Melissa Mandel

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For the Honorable Brian McCarville

San Bernardino County Superior Court

401 North Arrowhead Avenue San Bernardino, CA 92415-0063 Chad W. Firetag, Attorney at Law

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I caused such envelopes with postage thereon fully prepaid to be placed in the United States Postal Service mail at Rancho Cucamonga, California.

I declare under penalty of perjury under the laws of the State of California that

the above is true and correct.

Lindsay Gilbert

Name