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10 Attorneys for Defendants MARRIOTT INTERNATIONAL, INC.,
11 CNL HOSPITALITY PARTNERS, L.P., and CNL HOTELS AND RESORTS, INC.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 NARINDER BHUGRA, a personal
17 representative of the Estate of Dr. SATNAM
18 SINGH BHUGRA, MANINDER BHUGRA
19 and PAUL BHUGRA, individually,

20 Plaintiffs,

21 v.

22 MARRIOTT INTERNATIONAL, INC., a
23 Delaware Corporation, CNL HOTELS AND
24 RESORTS, INC., a foreign corporation, CNL
25 HOSPITALITY PARTNERS, LP, a Delaware
26 Limited Partnership, and JOHN DOES, one or
27 more unknown business entities and/or persons,

28 Defendant.

Case No. C 07-06491 JCS

**CASE MANAGEMENT CONFERENCE
STATEMENT OF DEFENDANTS**

Date: August 8, 2008

Time: 1:30 p.m.

Courtroom: A

21 Defendants, Marriott International, Inc., CNL Hotels and Resorts, Inc., and CNL
22 Hospitality Partners, LP (collectively "Defendants") submit their Case Management Conference
23 Statement as follows:

24 **1. STATUS OF CASE**

25 On July 22, 2008, the appearance of counsel Michael Perry, Ryan Kauffman, and the firm
26 of Fraser, Trebilcock, Davis & Dunlap, PC, of Lansing, Michigan was stricken. Further, the court
27 ordered plaintiffs to appear *pro se* or through counsel admitted to practice before this court within
28 thirty (30) days or the court will dismiss this action for failure to prosecute.

1 On July 24, 2008, Mr. Perry left a message for defendants' attorney, Ravi Sudan, that he
 2 was unable to find California counsel for the handling of this action, that he was not getting
 3 cooperation from the plaintiffs, and that he would be leaving his office within the next two hours
 4 on vacation and would be back in the afternoon of August 4, 2008. As such, attorney Sudan was
 5 not able to confer with plaintiffs' former counsel, Mr. Perry, concerning this further status
 6 conference. As of this date, plaintiffs have not appeared *pro se* or through counsel admitted to
 7 practice before this court.

8 Pursuant to the April 14, 2008 order, the following documents describe the cause of death:

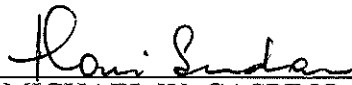
- 9 (a) Incident report (Exhibit "A" hereto);
- 10 (b) Police Department Investigation Report (Exhibit "B" hereto);
- 11 (c) Coroner's Investigation Report (Exhibit "C" hereto);
- 12 (d) Certificate of Death (Exhibit "D" hereto);
- 13 (e) Declaration of Janice Martin (Exhibit "E" hereto); and
- 14 (f) Declaration of Samir Bentaieb (Exhibit "F" hereto).

15 Although the court referred this matter for Early Neutral Evaluation to occur within the next
 16 120 days, defendants received no notification from the court for the evaluator's appointment.

17 In view of the July 22, 2008, order, defendants request that the court continue the further
 18 status conference to August 29, 2008, or to some other date available on the court's calendar.

19 DATED: August 1, 2008

BRADY, VORWERCK, RYDER & CASPINO

21 By: 
 22 MICHAEL W. CASPINO
 23 RAVI SUDAN
 24 Attorneys for Defendants MARRIOTT
 25 INTERNATIONAL, INC., CNL
 26 HOSPITALITY PARTNERS, L.P., and CNL
 27 HOTELS AND RESORTS, INC.

Incident Report

Newark Fire Department

2005-5001119 -000

(AT)

Basic

Alarm Date and Time	23:11:52	Thursday, May 19, 2005
Arrival Time	23:16:46	
Controlled Date and Time		
Last Unit Cleared Date and Time	00:38:50	Friday, May 20, 2005
Response Time	0:04:54	
Priority Response	Yes	
Completed	Yes	
Reviewed	Yes	
Fire Department Station	3	
Shift	B	
Incident Type	321 - EMS call, excluding vehicle accident with injury	
Aid Given or Received	N - None	
Alarms	1	
Action Taken 1	33 - Provide advanced life support (ALS)	
EMS Provided	Yes	
Apparatus - EMS	3	
Personnel - EMS Personnel	5	
Property Loss	\$0.00	
Contents Loss	\$0.00	
Property Value	\$0.00	
Contents Value	\$0.00	
Property Use	449 - Hotel/motel, commercial	
Location Type	Address	
Address	39802 CEDAR BLVD	
City, State Zip	NEWARK, CA 94560	
District	43	

Apparatus - 3943

Apparatus ID	3943
Response Time	0:02:48
Apparatus Dispatch Date and Time	23:12:12 Thursday, May 19, 2005
En route to scene date and time	23:13:58 Thursday, May 19, 2005
Apparatus Arrival Date and Time	23:16:46 Thursday, May 19, 2005
Apparatus Clear Date and Time	00:38:42 Friday, May 20, 2005
Apparatus priority response	Yes
Number of People	3
Apparatus Use	2
Apparatus Type	11 - Engine
Personnel 1	SPE - Perry, Steven J Position: 40CAPT
Personnel 2	VER - Verhoeven, Charles S Position: 50FF
Personnel 3	BEL - Bell, Ronald J Position: 50FF

Apparatus - 3993

Apparatus ID	3993
Response Time	0:02:45

D 00001

Incident Report

Newark Fire Department

2005-5001119 -000

Apparatus - 3993

Apparatus Dispatch Date and Time	23:12:23	Thursday, May 19, 2005
En route to scene date and time	23:14:01	Thursday, May 19, 2005
Apparatus Arrival Date and Time	23:16:46	Thursday, May 19, 2005
Apparatus Clear Date and Time	00:04:13	Friday, May 20, 2005
Apparatus priority response	Yes	
Number of People	2	
Apparatus Use	2	
Apparatus Type	71 - Rescue unit	
Personnel 1	MOR - Morua, Ernest R	
	Position: 50FF	
Personnel 2	OWE - Owens, Gary C	
	Position: 50FF	

Apparatus - AMB1

Apparatus ID	AMB1
Response Time	0:08:31
Apparatus Dispatch Date and Time	23:13:36 Thursday, May 19, 2005
En route to scene date and time	23:14:04 Thursday, May 19, 2005
Apparatus Arrival Date and Time	23:22:35 Thursday, May 19, 2005
Apparatus Clear Date and Time	00:38:50 Friday, May 20, 2005
Apparatus priority response	Yes
Apparatus Use	2
Apparatus Type	76 - ALS unit

Authority

Reported By	SPE - Perry, Steven J
	07:11:10 Sunday, May 22, 2005
Officer In Charge	SPE - Perry, Steven J
	19:11:58 Wednesday, December 14, 2005
Reviewer	JAY - Jay, Michael D
	19:11:53 Wednesday, December 14, 2005

Narratives

Narrative Name	CAD Narrative
Narrative Type	CAD Narrative
Author	-
Narrative Text	F2005001147 EMS (F) - MEDICAL CALL SINGLE PATIENT TOWNEPLACE SUITES BY MARRIOTT COMPLETE SPECIAL ADDRESS COMMENT: ** LOI SEARCH C
Narrative Name	Towne Place IC-3943
Narrative Type	Incident
Narrative Date	06:55:15 Sunday, May 22, 2005
Author	SPE - Perry, Steven J
Author Rank	40CAPT
Author Assignment	1
Narrative Text	At 2311 hours on Thursday May 19, 2005 we were dispatched to an EMS call. Three units were assigned to this incident. Five personnel responded. We arrived on scene at 2316

Incident Report

Newark Fire Department

2005-5001119 -000

Narratives

hours and cleared at 0038 hours. The incident occurred at 39802 CEDAR Blvd, NEWARK in District 43. The local station is 3. The general description of this property is hotel/motel, commercial. The primary task(s) performed at the scene by responding personnel was to provide advanced life support (ALS). No mutual/automatic aid was given or received.

One patient was involved with this incident.

3943 and 3993 responded to a report of a man down (possible code blue) in the fitness room at Towne Place Suites. Upon arrival we found the patient slumped on the floor next to the treadmill and the wall.

We moved the treadmill to gain access to the patient. We positioned the patient supine on the floor. Paramedic Bell assessed the patient for a pulse and responsiveness. The patient was not breathing and did not have a pulse. N.P.D. Officers arrived on scene.

Firefighter Morua started CPR. I advised dispatch that we were working a "code blue". We applied the heart monitor to the patient. N.P.D. assisted us in locating the patient's family.

Paramedic Bell administered ALS care per ALCO protocols. Paramedic Owens intubated the patient. We continued CPR.

AMR crew arrived on scene. NFD continued ALS care. After three rounds of meds, ALS care was terminated per Alameda County protocol (#7204). AMR crew was cancelled on scene. We remained on scene and awaited the arrival of family members.

The patient's family arrived on scene. N.P.D. and 3943 provided the family grief support. The patient was left in the custody of N.P.D. 3943 and 399 returned to quarters.

Alarm number 5001119 has been assigned to this incident.

End of Report

D 00003



Page 1 of 4

CASE NO: 05-3176

Officer / Badge #: LOUGHERY #59		Date / Time Reported: 5-19-05/2313		Day of Week: THUR		Date / Time of Occurrence: From: 5-19-05/2230 To: 2313		
Location: 39808 CEDAR BLVD - TOWNEPLACE SUITES				Business Name:		Apt. #: City: <input checked="" type="checkbox"/> Newark Zip: <input checked="" type="checkbox"/> 94560		
Offense(s): UNATTENDED DEATH		Classification: UNK		Loc. Code: 14		Related Cases:		
Weapon / Instrument Used: <input type="checkbox"/> None		Point of Entry:		Loss: \$		Related Officer:		
Code: V	Arrest:	Status:	Dispo:	Name: (Last, First MI) BHUGRA, SATNAM SINGH		Race: O	Sex: M DOB: 9-1-32	
Address: <input checked="" type="checkbox"/> Residence <input type="checkbox"/> Business 2163 WHITE OWL WAY				City / Zip: <input type="checkbox"/> Newark 94560 OKEMOS, MI 48864		<input checked="" type="checkbox"/> Residence (517) 410-3721 <input type="checkbox"/> Business <input type="checkbox"/> Cell		
DL#/ST: B360753766681/M		SSN: UNK		PFN / Local #:		Height: 6'00"	Weight: 180 Hair: Grey Eyes: BRO	
Code: W	Arrest:	Status:	Dispo:	Name: (Last, First MI) BECKETT, STEPHANIE		Race: W	Sex: F DOB: 5-29-71	
Address: <input checked="" type="checkbox"/> Residence <input type="checkbox"/> Business				City / Zip: <input type="checkbox"/> Newark 94560		<input checked="" type="checkbox"/> Residence <input type="checkbox"/> Business <input checked="" type="checkbox"/> Cell		
DL#/ST:		SSN:		PFN / Local #:		Height:	Weight: Hair: Eyes:	
Code: W	Arrest:	Status:	Dispo:	Name: (Last, First MI) BENTAJEB, SAMIR (MANAGER)		Race: O	Sex: M DOB: 1-26-64	
Address: <input type="checkbox"/> Residence <input checked="" type="checkbox"/> Business 39808 CEDAR BLVD				City / Zip: <input checked="" type="checkbox"/> Newark 94560		<input type="checkbox"/> Residence <input checked="" type="checkbox"/> Business (510) 438-9098 <input type="checkbox"/> Cell		
DL#/ST:		SSN:		PFN / Local #:		Height:	Weight: Hair: Eyes:	
Code: 1	Arrest:	Status:	Dispo:	Name: (Last, First MI) BHUGRA, NARINDER (WIFE)		Race: O	Sex: F DOB: 1-1-34	
Address: <input checked="" type="checkbox"/> Residence <input type="checkbox"/> Business 2163 WHITE OWL WAY				City / Zip: <input type="checkbox"/> Newark 94560 OKEMOS, MI 48864		<input checked="" type="checkbox"/> Residence (517) 410-3721 <input type="checkbox"/> Business <input type="checkbox"/> Cell		
DL#/ST:		SSN:		PFN / Local #:		Height: 5'00"	Weight: 130 Hair: Grey Eyes: BRO	
PROPERTY/DRUG MODULE								
No.	Status	UCR	Model / Make	Serial Number	Description	Qty	Value	APS
1	E	0	(1) COMPUTER DISK, MEDICAL REPORT, -TO EVID-					() Y () N
NEWARK POLICE DEPARTMENT CONTROLLED DOCUMENTS								
Code:	Released To: MASTRA, VOMERICK, KYLL		Color:		License No. <input type="checkbox"/> One <input type="checkbox"/> Two	Month/Year	State	
Released By: PSA 3		Date: 5/22/05		CITIZEN ARREST / JUVENILE CITATION		CITATION #		
I HEREBY ARREST THE NAMED DEFENDANT(S) ON THE CHARGE(S) INDICATED AND REQUEST A PEACE OFFICER TO TAKE HIM/HER INTO CUSTODY. I WILL APPEAR AS DIRECTED AND SIGN A COMPLAINT AGAINST THE PERSON(S) I HAVE ARRESTED.						COURT DATE & TIME:		
NAME:		SIGNED:						
JUVENILE ARRESTS		ADVISED OF RIGHTS <input type="checkbox"/> YES <input type="checkbox"/> NO		TELEPHONE CALLS GIVEN: <input type="checkbox"/> YES <input type="checkbox"/> NO		PARENTS NOTIFIED: <input type="checkbox"/> YES <input type="checkbox"/> NO		
REPORT ROUTING/DISPOSITION								
COP:	Capt:	Lt:	Sgt:	Det:	PC:	DA:	FU:	JP:
Investigative Status: <input checked="" type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Unfounded <input type="checkbox"/> Cleared by Arrest/Exception				Case Disposition: <input type="checkbox"/> Unfounded <input type="checkbox"/> Action Completed <input type="checkbox"/> Cleared by Arrest				
Reviewed By: DETECTIVES		Assigned To:		Follow Up Due Date: 6/22/05		Date Received in Records: MAY 23 2005		Data Entry: D:00004

EXHIBIT



NEWARK POLICE DEPARTMENT INVOLVED PERSONS

CASE NO: 05-3176PAGE 2 OF 4

INVOLVED PERSONS											
CODE: I - INFORMANT V - VICTIM W - WITNESS S - SUSPECT RP - REPORTING PERSON ARREST: N - NONE OV - ON VIEW W - WARRANT ARREST PC - PROBABLE CAUSE CA - CITIZENS ARREST STATUS: (1) CITE (2) BOOK (3) OTHER ADULT DISPO: R - RELEASED T - TURNED OVER TO ANOTHER AGENCY M - MISDEMEANOR F - FELONY JUVENILE DISPO: D - HANDLED WITHIN DEPT J - JUVENILE COURT T - TURNED OVER TO ANOTHER AGENCY											
CODE:	ARREST:	STATUS:	DISPO:	NAME (LAST, FIRST, MI)				RACE:	SEX:	AGE / DOB:	
				BHUGRA, MENIDER "MELINDA" (DAUGHTER)				O	F	11-18-59	
ADDRESS: <input checked="" type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS				CITY / ZIP:				PHONE: <input checked="" type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS			
217 E. 85TH ST				NEW YORK, NY 10028				(212) 592-4049			
DL#	ST:	SSN:	PFN / LOCAL NBR:				HEIGHT:	WEIGHT:	HAIR:	EYES:	
							5'4"	130	BLK	BRO	
INJURY:		INJURY DESCRIPTION:						VIC RELATION TO OFFENDER:			
<input type="checkbox"/> YES <input type="checkbox"/> NO		CELL PHONE (408) 505-4584									
I DOUBLE-LOCKED AND CHECKED THE HANDCUFFS FOR TIGHTNESS: <input type="checkbox"/>			TRANSPORTED TO:		OTHER DESCRIPTION : (SCARS, MARKS, TATTOOS, CLOTHING, ETC)						
CODE:	ARREST:	STATUS:	DISPO:	NAME (LAST, FIRST, MI)				RACE:	SEX:	AGE / DOB:	
				BHUGRA, RUTH (DAUGHTER)				O	F	6-17-63	
ADDRESS: <input checked="" type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS				CITY / ZIP:				PHONE: <input checked="" type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS			
2163 WHITE OWL WAY				OKEMOS, MI 48864				(517) 410-3781			
DL#	ST:	SSN:	PFN / LOCAL NBR:				HEIGHT:	WEIGHT:	HAIR:	EYES:	
							5'6"	140	BLW	BRO	
INJURY:		INJURY DESCRIPTION:						VIC RELATION TO OFFENDER:			
<input type="checkbox"/> YES <input type="checkbox"/> NO											
I DOUBLE-LOCKED AND CHECKED THE HANDCUFFS FOR TIGHTNESS: <input type="checkbox"/>			TRANSPORTED TO:		OTHER DESCRIPTION : (CLOTHING, SCARS, MARKS, TATTOOS, ETC)						
CODE:	ARREST:	STATUS:	DISPO:	NAME (LAST, FIRST, MI)				RACE:	SEX:	AGE / DOB:	
				BHUGRA, PAUL (SON)				O	M	8-2-62	
ADDRESS: <input checked="" type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS				CITY / ZIP:				PHONE: <input checked="" type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS			
2163 WHITE OWL WAY				OKEMOS, MI 48864				(517) 410-3781			
DL#	ST:	SSN:	PFN / LOCAL NBR:				HEIGHT:	WEIGHT:	HAIR:	EYES:	
							6'0"	190	BLU	BRO	
INJURY:		INJURY DESCRIPTION:						VIC RELATION TO OFFENDER:			
<input type="checkbox"/> YES <input type="checkbox"/> NO											
I DOUBLE-LOCKED AND CHECKED THE HANDCUFFS FOR TIGHTNESS: <input type="checkbox"/>			TRANSPORTED TO:		OTHER DESCRIPTION : (CLOTHING, SCARS, MARKS, TATTOOS, ETC)						
CODE:	ARREST:	STATUS:	DISPO:	NAME (LAST, FIRST, MI)				RACE:	SEX:	AGE / DOB:	
ADDRESS: <input type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS				CITY / ZIP:				PHONE: <input type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS			
DL#	ST:	SSN:	PFN / LOCAL NBR:				HEIGHT:	WEIGHT:	HAIR:	EYES:	
INJURY:		INJURY DESCRIPTION:						VIC RELATION TO OFFENDER:			
<input type="checkbox"/> YES <input type="checkbox"/> NO											
I DOUBLE-LOCKED AND CHECKED THE HANDCUFFS FOR TIGHTNESS: <input type="checkbox"/>			TRANSPORTED TO:		OTHER DESCRIPTION : (CLOTHING, SCARS, MARKS, TATTOOS, ETC)						

NEWARK POLICE DEPARTMENT CONTROLLED DOCUMENT

Released To: Brady, Vorwerck, Ryder & CaspinoReleased By: PSA3 Date: 9/24/07

D 00005

NEWARK POLICE DEPARTMENT
PROPERTY/DRUG REPORT/NARRATIVE

CASE NO.	DATE	OFFICER	NO.
05-3176	5-19-05	Loughery	59

Page 3 of 4 Pages

SCENE:

On the listed date and time I was dispatched to the report of a man down in the gym at Towneplace Suites by Marriott. Officer Roman and Reserve Officer Allum and Newark Fire Dept Engines 3943 and 93 arrived on scene at approximately 2317 hours. I arrived at approximately 2318 hours and found NFD personnel giving CPR and medical treatment to the victim, later identified as Satnam Bhugra in the gym area of the hotel. AMR Unit # 566 arrived on scene.

I spoke with Officer Roman who advised me she found Satnam alone in the gym area slumped over, not breathing and no pulse. (Refer to Officer Roman's supplement) NFD Personnel pronounced Satnam deceased at 2330 hours. NFD Capt Perry advised me there did not appear to be any signs of foul play. Reserve Officer Allum used a thermostat mounted in the room to determine the ambient temperature in the gym area to be approximately 72 degrees (Fahrenheit).

I noted a treadmill near the north wall and an exercise bike nearest the door to the gym. A television was mounted on the wall near the door. An air conditioning unit was mounted in the N/W corner of the room. I did not see any obvious signs of trauma to Satnam. Satnam's tan color turban was lying on the floor adjacent to the air conditioning unit. Officer Roman advised me she noted the turban was lying on the floor when she arrived. There were no signs of a struggle or anything out of the ordinary in the room.

INVESTIGATION:

I spoke with hotel shift manager Samir Bentaieb who told me he saw Satnam in the gym area at approximately 2230 hours walking on the treadmill alone. At approximately 2310 hours, a guest, later identified as Stephanie Beckett, advised him that the person in the gym was collapsed and not breathing. Hotel staff called 911. Bentaieb did not note anything suspicious in the area. Bentaieb told me that Satnam and his family checked in to the hotel on 4-9-05. (See attached rental agreement) Bentaieb advised me that Satnam's room was # 131.

I responded to room # 131 and contacted a female who identified herself verbally as Narinder Bhugra, Satnam's wife. Narinder's primary language was Pakistani, but was partially able to communicate in English. Narinder told me her husband had left to walk on the treadmill in the gym. Narinder said her husband did not have any medical problems, did not take medications and had not seen his doctor lately.

I responded back to the gym and was advised by NFD Capt Perry that Satnam was pronounced dead at 2330 hours. Capt Perry gave me a copy of the NFD medical report. (See attached photocopy) I contacted Stephanie Beckett in the lobby who told me the following. Beckett was washing laundry in the laundry room and decided to work out

D 00006

NEWARK POLICE DEPARTMENT
CONTROLLED DOCUMENT

Released To: Brady, Vorwerck, Ryder & CaspianReleased By: PSA3 Date: 9/24/07

NEWARK POLICE DEPARTMENT
PROPERTY/DRUG REPORT/NARRATIVE

CASE NO.	DATE	OFFICER	NO.
05-3176	5-19-05	Loughery	59

Page 4 of 4 Pages

1 while she waited. At 2310 hours she walked into the gym and saw a male, later identified
 2 as Satnam Bhugra, lying on the floor slumped against an air conditioning unit. Satnam
 3 was not moving and didn't appear to be breathing. Beckett ran and advised Hotel staff to
 4 call 911.

5
 6 The Newark Fire Dept personnel (Engine 3943 and 93) who responded and gave medical
 7 aid to Satnam were;

- 8 • Capt. Steve Perry
- 9 • Medic Reggie Bell
- 10 • FF Ernie Morua
- 11 • FF Gary Owens
- 12 • FF Charlie Verhoeven

13
 14 AMR unit # 566 responded with EMT's Jason Faria and Marisa Nietogomez.

15
 16 Satnam's daughter, Melinda Bhugra, responded and met me on scene. Melinda assisted
 17 me in getting information from Narinder, who was more comfortable speaking in her
 18 native language of Pakistani. Narinder, through Melinda, told me that Satnam last saw
 19 his doctor approximately one year ago for his annual physical. Satnam was in excellent
 20 health and had no medical problems. He walked on the treadmill every day.

21
 22 Because there was no appearance of foul play, and at the family's request, I allowed
 23 Satnam's wife, two daughters, and son to spend several minutes with Satnam prior to the
 24 Coroner's arrival.

25
 26 I contacted the Alameda County Coroner's Office by telephone and spoke with Deputy
 27 R. Robson # 1592. I advised Deputy Robson of the unattended death. Deputy Robson
 28 advised me she would be enroute. Deputy Robson and Deputy Coroner G. Williams #
 29 20 arrived at 0145 hours and took over the scene. I photographed the scene with a digital
 30 camera.

31
 32 **EVIDENCE:**

33
 34 I booked the computer disk with digital pictures and original NFD medical report into
 35 evidence at NPD.

36
 37 **DISPOSITION:**

38
 39 Deputy Robson and Deputy Coroner Williams removed Satnam's body and released
 40 Satnam's effects to his wife.

41
 42 B. Loughery #59
 43

NEWARK POLICE DEPARTMENT
CONTROLLED DOCUMENT

Released To: Brady, Vornier, Ryder & Caspino

Released By: PSA 3 Date: 9/24/07


NEWARK POLICE DEPARTMENT
PROPERTY/DRUG REPORT/NARRATIVE

CASE NO.	DATE	OFFICER	NO.
05-3176	05/19/05	Roman	26

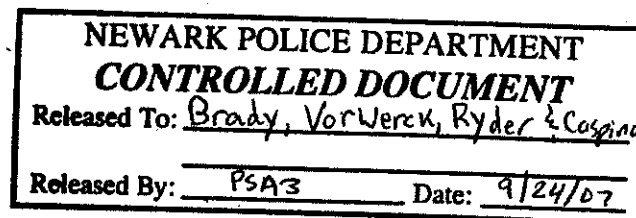
Page 1 of 1 Pages

1 On the listed date and time, I was on patrol in a marked police vehicle as a double unit
2 with Reserve Officer Allum. At 2313 hours, I was dispatched to Town Place Suites
3 located at 39802 Cedar Blvd. for an outside assist for Newark Fire Department. Dispatch
4 advised me the call was for a man down not breathing and unconscious. Reserve Officer
5 Allum and I responded code 3 from Mowry Ave. We arrived at 2317 hours. Upon
6 arrival, I contacted Town Place Suite Manager Samir Bentaieb and he directed me to the
7 gym.

8 Upon entering the gym, I noticed a male slouched against an air conditioning unit. The
9 male, later identified as Satnam Bhugra, was on his knees and his back was leaning
10 against the air conditioning unit. Bhugra's head was leaning back as if he had no muscle
11 control. Bhugra was not breathing. Bhugra's eyes were open and had a glassy
12 appearance. I began to ascertain if Bhugra had a pulse using his left radial artery, but was
13 unable to find a pulse. Newark Fire Department arrived several seconds after Reserve
14 Officer Allum and I did, and began CPR. Refer to Officer Loughery's report for
15 additional details on the investigation.

16 
17 Roman # 26

18 05/20/2005 02:57 Hours
19





NEWARK POLICE DEPARTMENT NARRATIVE

CASE NO: 05-3176 DATE: 7-5-05 OFFICER: WILLIAMS #8 PAGE OF

SUPPLEMENT:

On 5-24-05 I received this case for follow-up investigation.

On 6-22-05 I sent a fax to the Coroner requesting a copy of their completed report.

On 7-5-05 I received the attached Coroner Investigator's Report (ACSO Case # 2005-01514).

I reviewed the report and noted Investigator Williams determined the manner of death was natural. Williams' supervisor as not reviewed the case as of 6-29-05.

I reviewed the Autopsy Protocol from Doctor Levin dated May 20, 2005. Dr Levin determined the cause of death was Cardiac Insufficiency due to Severe Coronary Artery Calcific Atherosclerosis.

DISPOSITION:

Based on the Coroner Investigation and the findings of the autopsy, this case is a natural death. This case is closed, no further police action.

P. Williams #8

P. Williams # 8
7-5-06 1430

NEWARK POLICE DEPARTMENT	
CONTROLLED DOCUMENT	
Released To: <u>Brady, Vorwerk, Ryder & Caspino</u>	
Released By: <u>PSA3</u>	Date: <u>9/24/07</u>

Report Routing / Disposition														
COP	LT	SGTS	DET	PC	DA	FU	JP	CHP	SRV CTR	ENG	AA	COURT	OTHER	TOTAL
INVESTIGATIVE STATUS: <input type="checkbox"/> ACTIVE <input type="checkbox"/> INACTIVE <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> CLEARED BY ARREST/EXCEPTIONAL <input checked="" type="checkbox"/> CLOSED, ACTION COMPLETED						CASE DISPOSITION <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> CLEARED BY ARREST, OTHER AGENCY <input checked="" type="checkbox"/> ACTION COMPLETED <input type="checkbox"/> EXCEPTION- DEATH OF OFFENDER <input type="checkbox"/> EXCEPTION- PROSECUTION DECLINED <input type="checkbox"/> EXCEPTION- EXTRADITION DECLINED <input type="checkbox"/> EXCEPTION- VICTIM REF TO COOP <input type="checkbox"/> EXCEPTION- JUVENILE/NO CUSTODY								
Review: <i>[Signature]</i> JUL 12 2005				Assigned To:			Follow-up Due:			Date to Records: JUL 13 2005		Data Entry: D 00009		

COUNTY OF ALAMEDA

SHERIFF - CORONER - PUBLIC ADMINISTRATOR

480 4th Street, Oakland, California 94607 - 3829

(510) 268-7300

Fax (510) 268-7333

ACCOUNTING RECEIPT		37253	Date:
Coroner Case #:	2005-01514	PA Case #:	Date of Death: 5/19/2005
Decedent or Estate Name:		Last Name	First Name M.I.
		BHUGRA	JATMAN
Received from: BRADY, VORWERCK, RYDER, & CASPINO			
Address: 790 CITY DRIVE 4th FLOOR			
ORANGE, CA 92668			
the sum of: \$ FIVE DOLLARS 00/100 dollars.			
<input checked="" type="checkbox"/> Check #: 33773			
<input type="checkbox"/> Cash \$5.00			
SERVICE			
<input type="checkbox"/> 1a - Removal <input type="checkbox"/> 1b - Storage <input type="checkbox"/> 1c - Prep <input type="checkbox"/> 2a - Sealing <input checked="" type="checkbox"/> 3a - Search/Copy/Process one Coroner Case File. <input type="checkbox"/> 4a - Search/Copy/Process one Coroner Case File (subpoena) <input type="checkbox"/> -			
DISTRIBUTION			
<input type="checkbox"/> 479990 Other Revenue <input type="checkbox"/> 461260 PA Fees <input type="checkbox"/> PC 7660 a(1) <input type="checkbox"/> 469990 Coroner's General <input type="checkbox"/> PC 7660 a(2) <input type="checkbox"/> 84612 Coroner's Unclaimed <input type="checkbox"/> PA Revolving Fund <input type="checkbox"/> 84613 PA Trust <input type="checkbox"/> Other:			

 Sheriff / Coroner -
 Public Administrator, by: **X** *EQ*

White - Payor

Yellow - Accounting

Pink - Control

Green - Case Files (Service Tracking)

EXHIBIT *C*

D 00010



Alameda County Sheriff's Office

Charles C. Plummer, Sheriff / Coroner

Coroner's Bureau, 480 4th Street, Oakland, CA 94607-3829 (510) 268-7300 / (510) 268-7333 (fax)

2005 - 01514

Removal Case

BHUGRA

Coroner Investigator's Report

HUGRA, Satnam Sigh

Decedent's Name

2005 - 01514

Case Number

Removal Case

05/19/2005 - 2330 hrs.

Date / Time of Death

Natural

Manner of Death

05/19/2005 - 2358 hrs.

Date / Time Reported

Decedent Aliases

Decedent Information

2163 White Owl Way

Okemos, MI 48864 (517) 410 - 3721

Residence of the Deceased

Male

Sex

71y 8m 18d 23h 30m

Age (Yr, Mo, Day, Hr, Min)

189

Weight

College Professor

Occupation

Pakistan

Birthplace

71

Height (in inches)

Brown

Eye Color

Married

Social Status

09/01/1933

Birthdate

Gray

Hair Color

Other

Ethnic Group

Social Security Number

Teeth

Hair Style

Hair Length

Facial Hair

Chapel of The Valley, 20359 Lake Chabot Road, Castro Valley, CA 94546 (510) 581 - 0900

Funeral Home

Location of Death

39802 Cedar Blvd., Newark, CA 94560

Location of Death

Newark Police Department

Law Enforcement Agency with Jurisdiction over the Location of Death

Newark Police Department

Law Enforcement Agency Investigating the Death

2005-3176

Investigating Law Enforcement Agency Report Number

05/20/2005 - 0306

Date / Time Body Received

Rosario Robson

Body Received By

If Hospital (IP or ER/OP)

22963(C), 32574(A)

Receipt Number(s)

Preliminary Condition of the Decedent

Normal

Condition of the Body

Special Circumstances

05/19/2005 - 2330

Date / Time Death Pronounced

Newark Fire 3943

Death Pronounced By

Beginning

Rigor

Present

P/M/L

Cold

Body Temperature

Comments & Special Circumstances

☐

AIDS

☐

SIDS

Date Referred to PA

If Case Involved A Traffic Accident

Traffic Accident Relationship

Traffic Accident on Private Property

If Police May Have Been Involved In The Circumstances Of Death

Level of Police Involvement

Law Enforcement Agency / Jail Facility

Dom. Violence Injured At Work

Reported natural death. Found down in Gym of Town Place Suites by Marriot Hotel in Newark. No medical history. Language barrier with family. No eating, trauma or foul play was observed.

Preliminary Summary

D 00011

**Alameda County Sheriff's Office**

2005 - 01514

Removal-Case

BHUGRA

Charles C. Plummer, Sheriff / Coroner

Coroner's Bureau, 480 4th Street, Oakland, CA 94607-3829 (510) 268-7300 / (510) 268-7333 (fax)

Coroner Investigator's Report**Next of Kin**

BHUGRA, Narindir [Spouse]

[Residence] (517) 410 - 3721

Phone Number(s)

2163 White Owl Way

Okemos, MI 48864

Name and Address

Date / Time Notified of Death

Property and Money

BHUGRA, Narindir [Spouse]

[Residence] (517) 410 - 3721

Phone Number(s)

2163 White Owl Way

Okemos, MI 48864

Name and Address

Date / Time Notified of Death

Reporting Party

LOUGHERY, D. , Officer #59 [Police Officer]

Newark Police Department

37101 Newark Boulevard

Newark, CA 94560

Name and Address

[Work Phone] (510) 790 - 7237

Phone Number(s)

05/19/2005 - 2358 hrs.

Date / Time Reported Death

Found By

Phone Number(s)

Name and Address

Date / Time Notified of Death

Signing Physician

Phone Number(s)

Name and Address

Date / Time Notified of Death

Investigator's Narrative**FIRST CALL INFORMATION:**

About 2358 hours, May 19, 2005, I (ROBSON) received a telephone call from Officer LOUGHERY of the Newark Police Department reporting the death of Satnam Singh BHUGRA. According to Officer LOUGHERY, BHUGRA was found down in the gym of the Town Place Suites by Marriott, in Newark. BHUGRA lives in Okemos Michigan and is on a business trip along with his family. Today, at about 2230 hours, BHUGRA was seen working out in the hotel gym by the manager, who later discovered him

D 00012



Alameda County Sheriff's Office

Charles C. Plummer, Sheriff / Coroner

Coroner's Bureau, 480 4th Street, Oakland, CA 94607-3829 (510) 268-7300 / (510) 268-7333 (fax)

2005 - 01514
Removal Case
BHUGRA

Coroner Investigator's Report

Investigator's Narrative (Continued)

unresponsive. 911 was called, the Newark Fire Department responded and death was determined. No eating, trauma or foul play was observed by the officer. (RR#1592)

MEDICAL SUMMARY:

Per the wife, no medical problems. (RR#1592)

BOX 113 ON THE DEATH CERTIFICATE:

No, male. (RR#1592)

DESCRIPTION OF THE DEATH/INJURY SCENE:

Death Scene: Gym, Town Place Suites By Marriott in Newark.

BODY IDENTIFICATION

The decedent was identified by his Michigan Driver's license #B26075876681. (RR#1592)

NEXT OF KIN INVESTIGATION:

Wife, Narindir BHUGRA. (RR#1592)

OTHER AGENCY REPORTS:

PROPERTY & EVIDENCE:

CORONER FEES:

On May 20, 2005, I (ROBSON) spoke with Minder BHUGRA (decedent's daughter) about all Coroner's involvement and fees. I asked her to relate the information to her mother and she agreed. (RR#1592)

OTHER INVESTIGATIVE DETAILS/SUPPLEMENTAL INFORMATION:

D 00013



Alameda County Sheriff's Office

Charles C. Plummer, Sheriff / Coroner

Coroner's Bureau, 480 4th Street, Oakland, CA 94607-3829 (510) 268-7300 / (510) 268-7333 (fax)

Coroner Investigator's Report

Removal C
BHUGRA

Investigator's Narrative (Continued)

About 0135 hours, May 20, 2005, Coroner Investigator WILLIAMS and I (ROBSON) responded to the above address and met Officer D. LOUGHERY. He directed WILLIAMS and me to the scene where BHUGRA was located. His body was located face up in the hotel gym. His body was in rigor and lividity was present and consistent with the position of discovery. The decedent was moved into the Coroner's van for transport back to the Bureau.

About 0245 hours, we returned to the Bureau and we processed the decedent into the morgue.
(RR#1592)

FINDINGS:

About 0001 hours, Thursday, June 9, 2005, I (WILLIAMS) reviewed this case for the purpose of establishing a manner of death. Based on my review the manner of death has been established as a natural death. Due to the lack of any medical information a full autopsy was performed. The Autopsy Protocol is consistent with this finding in that death was due to cardiac insufficiency due to severe coronary artery calcific atherosclerosis. (GW#20)

SUPERVISOR REVIEW:

On September 9, 2005, I (GIBBS) reviewed the contents of this report and concur with the findings.
(ckg #2)

D 00014

Gerald Williams

Pat



Alameda County Sheriff's Office

Charles C. Plummer, Sheriff / Coroner

Coroner's Bureau, 480 4th Street, Oakland, CA 94607-3829 (510) 268-7300 / (510) 268-7333 (fax)

2005 - 01514

Removal Case

BHUGRA

Coroner Investigator's Report

Cause of Death

Cardiac insufficiency

Immediate Cause of Death

severe coronary artery calcific atherosclerosis.

Due To

Minutes

Interval

Years

Interval

David Levin, M.D.

Cause of Death Given By

05/20/2005

Cause of Death Given On

D 00015



Alameda County Sheriff's Office

CORONER'S BUREAU, 480 FOURTH STREET, OAKLAND, CA 94607-3829
Voice (510) 268-7300 Fax (510) 268-7333

CHARLES C. PLUMMER, SHERIFF
MARSHAL - CORONER - PUBLIC ADMINISTRATOR
DIRECTOR OF EMERGENCY SERVICES

M E M O R A N D U M

DATE: May 20, 2005
FROM: David E. Levin, M.D.
TO: Case File 2005-01514
SUBJECT: AUTOPSY PROTOCOL

Autopsy performed upon the body of Satnam Singh Bhugra at the Coroner's Bureau, 480 4th Street, Oakland, California, on May 20, 2005, at 8:45 a.m.

ANATOMICAL DIAGNOSES

- 1) SEVERE CALCIFIC ATHEROSCLEROSIS OF CORONARY ARTERIES.
- 2) SEVERE CALCIFIC ATHEROSCLEROSIS OF AORTA.
- 3) VISCERAL ORGAN CONGESTION.
- 4) RIGHT PLEURAL ADHESIONS.
- 5) MILD NEPHROSCLEROSIS.

CAUSE OF DEATH: CARDIAC INSUFFICIENCY DUE TO SEVERE CORONARY ARTERY CALCIFIC ATHEROSCLEROSIS.

cc: EMS

Sheriff-Coroner
Alameda County

Body of SATNAM SINGH BHUGRA

EXTERNAL EXAMINATION

GENERAL FINDINGS: The body is that of a well-developed adult male, appearing the stated age, height, and weight of 71 years, 71 inches, and 189 pounds. The body is nude. There is a Coroner's identification tag attached to the right big toe.

There is rigor mortis present at the jaw, neck, and extremities. Purple livor mortis is present over the dorsal dependent portions of the body.

The capital hair is gray, averaging 4 inches, and there is frontoparietal balding. The irides are brown, and there is marked arcus senilis bilaterally. The sclerae are white. There is mild conjunctival congestion, but no discrete conjunctival hemorrhages. There is a full gray and tan mustache and beard. The ears, nose, and lips are normal. The teeth are natural and in fair repair. The neck is unremarkable. The chest and abdomen are unremarkable. The external genitalia are those of a normal adult male. Two testicles are palpable in the scrotal sac.

The upper extremities are unremarkable. There are no linear scars at the wrists. There are no hyperpigmented scars identified over accessible veins. The fingernails are short, clean, and without trauma.

The back is unremarkable.

The lower extremities are unremarkable.

Sheriff-Coroner
Alameda County

Body of SATNAM SINGH BHUGRA

24 There is the following evidence of **MEDICAL THERAPY**:

25 1) An oral tracheal tube affixed at the mouth.

26 2) Multiple EKG pads on the chest and abdomen.

27 3) Two pacer/defibrillator-type pads, one attached to the
28 anterior left side of the chest, and the other present on the
29 left side of the back.

30 4) A vascular catheter in the right antecubital fossa.

31 **BLUNT INJURIES** present on the body:

32 There are no blunt injuries identified on the body.

33 **INTERNAL EXAMINATION**

34 The body is opened through the usual Y-SHAPED
35 THORACOABDOMINAL AND INTERMASTOIDAL INCISIONS.

36 **BODY CAVITIES:** The organs of the chest and abdomen are in
37 the usual anatomic positions. There are multiple easily lysed,
38 as well as dense fibrous adhesions about the right lung. The
39 left pleural cavity, peritoneal cavity and pericardial sac are
40 lined by smooth shiny serosa, without adhesions. There are no
41 rib fractures, and there is no evidence of trauma to the chest
42 wall. There is mild emphysematous crepitus change to the soft
43 tissue beneath the anterior chest plate, compatible with
44 resuscitative efforts (mechanical ventilation).

45 **CENTRAL NERVOUS SYSTEM AND HEAD:** The soft tissue of the
46 scalp is unremarkable. There are no fractures of the skull. The

Sheriff-Coroner
Alameda County

Body of SATNAM SINGH BHUGRA

47 meninges are unremarkable. The brain, 1450 grams, has normal
48 gyri and sulci. Multiple cut sections of the brain are
49 unremarkable. There are no contusions.

50 NECK: The strap muscles are negative for hemorrhage. The
51 hyoid bone, thyroid and cricoid cartilages are negative for
52 fracture. The larynx is free of obstructing material. The
53 cervical column is unremarkable.

54 CARDIOVASCULAR SYSTEM: The heart, 430 grams, has smooth
55 epicardial and endocardial surfaces. The valves and chambers are
56 normally formed. The myocardium is firm and brown. The
57 interventricular septum and the lateral wall of the left
58 ventricle average 1.5 cm in the outflow track, and the right
59 ventricle averages 0.4 cm. The coronary arteries arise from the
60 aorta in the usual fashion, with predominance of the right
61 coronary artery. There is severe calcific atherosclerotic
62 stenosis involving the coronary arteries. The left anterior
63 descending artery has stenosis of up to 80% occlusion over a
64 length of 3/8 inch. The left circumflex coronary artery has
65 stenosis of up to 99% occlusion over a length of 1/8 inch. The
66 right coronary artery has stenosis of up to 75% occlusion over a
67 length of 1/4 inch. The aorta shows focal severe calcific
68 atherosclerosis.

69 RESPIRATORY SYSTEM: The tip of the oral tracheal tube is
70 present in the trachea. The trachea and bronchi are lined by

Sheriff-Coroner
Alameda County

Body of SATNAM SINGH BHUGRA

71 smooth tan-purple mucosa and contain scant tan-purple mucoid and
72 watery fluid. The right lung, 450 grams, and the left lung, 400
73 grams, both have mild dorsal dependent congestion. Multiple
74 sections reveal no areas of consolidation or tumor. The
75 pulmonary arteries are negative for thromboemboli.

76 GASTROINTESTINAL SYSTEM: The esophagus is unremarkable and
77 lined by a smooth gray mucosa. The stomach contains
78 approximately 250 ml of viscous cloudy tan-orange fluid,
79 containing multiple food-type particles, including pieces
80 consistent with citrus fruit. The stomach is lined by a smooth
81 tan mucosa without ulcers or tumors. The small and large
82 intestines are unremarkable. The pancreas is of normal size and
83 shape, and sections reveal unremarkable lobulated tan parenchyma.

84 HEPATOBILIARY SYSTEM: The liver, 1600 grams, has a smooth
85 capsule. Multiple cut sections reveal unremarkable brown
86 parenchyma. There is no fibrosis or steatosis. The gallbladder
87 is an unremarkable saccular structure, containing 10 ml of green
88 bile, and is lined by smooth green unremarkable mucosa.

89 ENDOCRINE SYSTEM: The pituitary, thyroid and adrenal glands
90 are unremarkable. The adrenals have thin bright yellow cortices.

91 HEMATOLYMPHOID SYSTEM: The spleen, 160 grams, has a smooth
92 gray capsule and soft burgundy parenchyma. There are no enlarged
93 lymph nodes. The bone marrow is firm, red-purple, and gritty.

94 GENITOURINARY SYSTEM: The right kidney, 150 grams, and the

Sheriff-Coroner
Alameda County

Body of SATNAM SINGH BHUGRA

95 left kidney, 160 grams, both have capsules that strip with ease,
96 to reveal mildly granular cortical surfaces, consistent with mild
97 nephrosclerosis. The corticomedullary junctions are
98 well-delineated and the cortices average 0.6 cm. The renal
99 parenchyma is congested-purple. The renal pelves, calyces, and
100 ureters are unremarkable. The bladder contains 170 ml of clear
101 yellow urine, and is lined by smooth white-gray unremarkable
102 mucosa. The prostate is unremarkable.

103 MUSCULOSKELETAL SYSTEM: Unremarkable.

104 SPECIMENS:

- 105 1) Heart blood
106
107 2) Leg blood
108
109 3) Urine
110
111 4) Liver
112
113 5) Tissue
114

115
116 
117
118 David E. Levin, M.D.
119

120 DEL/can

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY

PUBLIC HEALTH DEPARTMENT

CERTIFICATE OF DEATH		3200501003499	
1. NAME OF OCCIDENT - FIRST SURNAME Satnam		2. MIDDLE Sigh	
3. LAST NAME Bhugra		4. DATE OF BIRTH 09/01/1933	
5. AGE IN YEARS 71		6. SEX M	
7. SOCIAL SECURITY NUMBER 528-82-4390		8. MARRIAGE STATUS Married	
9. DATE OF DEATH 05/19/2005		10. DEATH PLACE 2330	
11. OCCUPATION Professor		12. DECEASED'S RACE Asian Indian	
13. DECEASED'S RESIDENCE 2163 Whiteowl Way		14. YEARS IN OCCUPATION 41	
15. CITY Okemos		16. COUNTY Ingham	
17. ZIP CODE 48864		18. YEARS IN COUNTY 30	
19. STATE MI		20. DECEASED'S NAME, RELATIONSHIP Amritpreet S. Bhugra, Son	
21. NAME OF BIRTHPLACE Narinder		22. NAME OF BIRTHPLACE Kaur	
23. NAME OF BIRTHPLACE Harnam		24. NAME OF BIRTHPLACE Singh	
25. NAME OF BIRTHPLACE Kanjit		26. NAME OF BIRTHPLACE Kaur	
27. DATE OF BIRTH 05/25/2005		28. PLACE OF BIRTH Residence of Amritpreet S. Bhugra, 2163 Whiteowl Way, Okemos, MI 48864	
29. TYPE OF DEATH TR/CR/RES		30. SIGNATURE OF DECEASED <i>Norman J. Contreras</i>	
31. NAME OF FUNERAL ESTABLISHMENT CHAPEL OF THE VALLEY MORTUARY		32. LICENSE NUMBER FD-876	
33. PLACE OF DEATH Gym		34. DATE OF DEATH 05/24/2005 YB	
35. COUNTY Alameda		36. CITY Newark	
37. ADDRESS 39002 Cedar Boulevard		38. ZIP CODE 94560	
39. CAUSE OF DEATH Cardiac Insufficiency		40. DEATH REPORTED TO CORONER Minutes	
41. SEVERE CORONARY ARTERY CALCIFIC ATHEROSCLEROSIS Severe coronary artery calcific atherosclerosis		42. YEARS 2005-01814	
43. NONE		44. YES	
45. NONE		46. YES	
47. NONE		48. YES	
49. NONE		50. YES	
51. NONE		52. YES	
53. NONE		54. YES	
55. NONE		56. YES	
57. NONE		58. YES	
59. NONE		60. YES	
61. NONE		62. YES	
63. NONE		64. YES	
65. NONE		66. YES	
67. NONE		68. YES	
69. NONE		70. YES	
71. NONE		72. YES	
73. NONE		74. YES	
75. NONE		76. YES	
77. NONE		78. YES	
79. NONE		80. YES	
81. NONE		82. YES	
83. NONE		84. YES	
85. NONE		86. YES	
87. NONE		88. YES	
89. NONE		90. YES	
91. NONE		92. YES	
93. NONE		94. YES	
95. NONE		96. YES	
97. NONE		98. YES	
99. NONE		100. YES	

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA
COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered and filed with the Alameda County Health Care Services Agency.

DATE ISSUED: 05/27/2005

HEALTH OFFICER AND LOCAL REGISTRAR
ALAMEDA COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying date and signature of Registrar.

EXHIBIT D

D 00022

AFFIDAVIT TO AMEND A RECORD

3200501003499

STATE FILE NUMBER

DEATHS AFTER 1-1994

NO UNLAWFUL CONTENTS OR ALTERATIONS

UNITED STATES GOVERNMENT PRINTING OFFICE: 1967

PART II STATEMENT OF CORRECTIONS—NO ERASURES, WHITEOUTS, OR ALTERATIONS

REASON FOR CORRECTION	12 To make the record correct
--------------------------	-------------------------------

**APPENDIX
AND
EXHIBITS**

We, the undersigned, hereby certify under penalty of perjury that we have personal knowledge of the above facts and that the information given above is true and correct.

SIGNATURES OF TWO PERSONS MUST SIGN THIS FORM	14. SIGNATURE OF FIRST PERSON <i>John Curtis</i>		15. TITLE/RELATIONSHIP TO PERSON IN PART 1 Manager	16. DATE SIGNED - MM/DD/CCYY 05/24/2005
	17. AGE Adult	18. ADDRESS (STREET, CITY, STATE, ZIP) 20359 Lake Chabot Road; Castro Valley, CA 94546		
USE BLACK INK ONLY	19. SIGNATURE OF SECOND PERSON <i>Virginia Bear</i>		20. TITLE/RELATIONSHIP TO PERSON IN PART 1 Secretary	21. DATE SIGNED - MM/DD/CCYY 05/24/2005
	22. AGE Adult	23. ADDRESS (STREET, CITY, STATE, ZIP) 20359 Lake Chabot Road, Castro Valley, CA 94546		
STATE/LOCAL REGISTRAR USE ONLY	24. SIGNATURE OF STATE OR LOCAL REGISTRAR <i>ASB M.D.</i>		25. DATE ACCEPTED FOR REGISTRATION - MM/DD/CCYY	

STATE OF CALIFORNIA: DEPARTMENT OF HEALTH SERVICES, OFFICE OF PUBLIC HEALTH

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA, }
COUNTY OF ALAMEDA }

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DATE ISSUED: 05/27/2005

HEALTH OFFICER AND LOCAL REGISTRAR
ALAMEDA COUNTY, CALIFORNIA

~~This copy not valid unless prepared on engraved border displaying date and signature of Registrar.~~



sent By: BRADY, VORWERCK, RYDER;

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NARINDER BHUGRA, a personal representative of
The Estate of DR. SATNAM SINGH BHUGRA,
deceased and NARINDER BHUGRA,
MANINDER BHUGRA and PAUL BHUGRA,
Individually,

Plaintiffs,

Case No: 1-07-CV0482

Hon.: GORDON J. QUIST

-vs-

MARRIOTT INTERNATIONAL, INC., a
Delaware Corporation, CNL HOTELS AND
RESORTS, INC., a foreign corporation, CNL
HOSPITALITY PARTNERS, LP, a Delaware
Limited Partnership, and JOHN DOES, one or
more unknown businesses entities and/or persons,

Defendants.

MICHAEL H. PERRY (P22890)
Fraser, Trebilcock, Davis & Dunlap, PC
Attorneys for Plaintiffs
124 W. Allegan, Suite 1000
Lansing, Michigan 48933
(517) 482-5800

LEONARD A. HENK (P26651)
Kallas & Henk PC
Attorneys for Defendants Marriott, CNL
Hotels, and CNL Hospitality Only
43902 Woodward Ave, Suite 200
Bloomfield Hills Michigan 48302
(248) 335-5450 ext. 202

DECLARATION OF JANICE MARTIN

I, Janice Martin, declare as follows:

1. I am over the age of eighteen years old. I have personal knowledge of the facts set forth herein, except as to those matters stated on information and belief, and as to those

EXHIBIT E

D 00024

matters, I believe them to be true. If called as a witness to testify, I could and would testify truthfully and competently to the following.

2. I have been employed as a Night Auditor at the Newark TownePlace Suites, located at 39802 Cedar Boulevard, in Newark, California, (hereinafter referred to as the "TownePlace Suites") since December 2004. I was working at the TownePlace Suites on the evening of May 19, 2005, when the incident that is the subject matter of this litigation occurred.

3. My shift began at 11:00 p.m. on the night of the incident. Soon after my shift began, I was speaking to another employee, Samir Bentaieb, in the TownePlace Suites' office, when a female guest came into the office. She informed us that there appeared to be something wrong with another guest, who I later learned was Dr. Satnam Bhugra, who was passed out on the floor in the fitness room.

4. Mr. Bentaieb immediately accompanied the female guest back to the fitness room. Almost immediately thereafter, he came back to the office and told me to call 9-1-1, and he went back to the fitness room. I immediately called 9-1-1, using the office phone. I told the 9-1-1 operator that we had a guest who was passed out on the floor of the fitness room. The 9-1-1 operator asked me questions about the guest, such as was he breathing or moving. I told the operator that I was not in the same room as the guest, and the 9-1-1 operator asked me to go where the guest was located to obtain this information.

5. I laid the telephone receiver on the desk and went to the fitness room. I obtained the information I needed to give to the operator, and went back to the office. However, when I picked up the phone receiver from the desk, no one was on the line. It appeared to me that the 9-1-1 operator had hung up.

ent By: BRADY, VORWERCK, RYDER;

9252749501;

6. Before I was able to get back in touch with 9-1-1, Mr. Bentaieb walked back over to the office. It was clear to me that he was speaking to 9-1-1 on his cell phone so I did not make any further attempt to contact 9-1-1.

7. The paramedics arrived at the scene within five minutes of my call to 9-1-1. The police arrived soon thereafter.

8. After the paramedics and police arrived, they did not provide me any information regarding the guest's condition. The police officers specifically asked me not to contact the guest's family, as they would handle that. I followed those instructions. Approximately a half an hour after their arrival, the police officers asked me for Dr. Bhugra's room number. I gave them the room number and let them into the building where the room was located, and went back to the office. Thereafter, I saw the police accompanying Dr. Bhugra's family back to the fitness room. I did not have any contact with Dr. Bhugra's family on the night of the incident.

9. I have been in the hotel industry for approximately 18 years. I have received training from each employer, including my current employer, on what to do in case of a medical emergency. That training included that I am to call 9-1-1 when there is a medical emergency, which is what I did in connection with the subject incident.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 26 day of July, 2007 at Newark, California.


Janice Martin, Declarant

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NARINDER BHUGRA, a personal representative of
The Estate of DR. SATNAM SINGH BHUGRA,
deceased and NARINDER BHUGRA,
MANINDER BHUGRA and PAUL BHUGRA,
Individually,

Plaintiffs,

Case No: 1-07 CV0482

Hon.: GORDON J. QUIST

-VS-

MARRIOTT INTERNATIONAL, INC., a
Delaware Corporation, CNL HOTELS AND
RESORTS, INC., a foreign corporation, CNL
HOSPITALITY PARTNERS, LP, a Delaware
Limited Partnership, and JOHN DOES, one or
more unknown businesses entities and/or persons,

Defendants.

MICHAEL H. PERRY (P22890)
Fraser, Trebilcock, Davis & Dunlap, PC
Attorneys for Plaintiffs
124 W. Allegan, Suite 1000
Lansing, Michigan 48933
(517) 482-5800

LEONARD A. HENK (P26651)
Kallas & Henk PC
Attorneys for Defendants Marriott, CNL
Hotels, and CNL Hospitality Only
43902 Woodward Ave, Suite 200
Bloomfield Hills Michigan 48302
(248) 335-5450 ext. 202

DECLARATION OF SAMIR BENTAIEB

I, Samir Bentaieb, declare as follows:

1. I am over the age of eighteen years old. I have personal knowledge of the facts set forth herein, except as to those matters stated on information and belief, and as to those

EXHIBIT *R*

D 00027

matters, I believe them to be true. If called as a witness to testify, I could and would testify truthfully and competently to the following.

2. On May 19, 2005, I was employed as the Front Desk Supervisor at the Newark TownePlace Suites, located at 39802 Cedar Boulevard, in Newark, California, (hereinafter referred to as the "TownePlace Suites").

3. On May 19, 2005, I was scheduled to work from 3:00 p.m. to 11:00 p.m. Soon after my shift ended at 11:00 p.m., a female guest came into the lobby of the TownePlace Suites. She stated that there appeared to be something wrong with another guest, who I later learned was Dr. Satnam Bhugra, who was passed out on the floor in the fitness room.

4. I immediately ran with the female guest back to the fitness room, where I saw Dr. Bhugra on the floor. Dr. Bhugra was lying on his back, with his knees bent in an upright position. The portion of his arms between the shoulder and the elbow were lying flat on the floor, with his forearms raised up and his fists clenched. His mouth and eyes were open, and his eyes did not blink. I spoke to Dr. Bhugra in loud voice, stating "Sir" several times. Dr. Bhugra did not respond and did not move.

5. I ran back to the hotel office and told another TownePlace Suites employee, Janice Martin, to call 9-1-1. I went back to the fitness room and saw that Dr. Bhugra had not moved. I ran back to the office, at which time Ms. Martin was on the phone with 9-1-1. She asked me a few questions about Dr. Bhugra's condition, which I answered.

6. I walked back toward the fitness room. Although I knew that Ms. Martin was on the phone with 9-1-1, in an abundance of caution, I called 9-1-1 on my cellular phone. The 9-1-1 operator told me that they were already on the phone with my co-worker and an ambulance was on its way, so I discontinued that call.

7. The paramedics arrived at the scene within five minutes of Ms. Martin's call to 9-1-1. The police arrived soon thereafter.

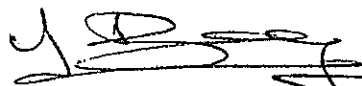
8. After the paramedics and police arrived, guests began congregating in the lobby. I was concerned that these guests might get in the way of the paramedics providing medical attention to Dr. Bhugra, so I focused on keeping these guests away from the fitness room so the paramedics could do their job.

9. While the paramedics were in the fitness room attending to Dr. Bhugra, I asked a police officer if I should contact Dr. Bhugra's family. The police officer said that she would do it, and asked me to show her Dr. Bhugra's room. I took the police officer to the room, and went back to the lobby area.

10. Approximately an hour before the female guest notified me that someone was on the floor in the fitness room, I walked around the outside of the hotel. At that time, I saw Dr. Bhugra using the treadmill, through a window in the fitness room. Later, when I went inside the fitness room and saw Dr. Bhugra on the ground, the treadmill had been turned off.

11. I have been in the hotel industry for approximately 17 years. I have received training from each employer, including Marriott, on what to do in case of a medical emergency. That training included that I am to call 9-1-1 when there is a medical emergency.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 17 day of August, 2007 at Santa Clara, California.



Samir Bentaieb, Declarant