

DEC 11 2006

GORDON PARK-LI, Clerk
BY: *Gordon Park-Li*
Deputy Clerk

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

VENTAS FINANCE I LLC, a Delaware
Limited Liability Company,

Plaintiff,

v.

CALIFORNIA FRANCHISE TAX
BOARD, an Agency of the State of
California,

Defendant.

No. CGC-05-440001

JUDGMENT
~~(Proposed)~~ *GC*

JUDGMENT

The above action came on regularly for trial on May 8, 2006, in Department 305, before the Honorable Paul H. Alvarado, presiding without a jury. Plaintiff appeared by its attorneys Amy L. Silverstein and Edwin P. Antolin of Silverstein & Pomerantz LLP. Defendant appeared by its attorney, Marguerite Stricklin, Deputy Attorney General, of the office of the Attorney General of the State of California. The Court having reviewed the stipulation of facts presented and documents presented and having considered the argument of counsel,

1 IT IS ORDERED AND ADJUDGED that Plaintiff Ventas Finance I LLC
2 recover from Defendant, Franchise Tax Board, (1) a refund of tax paid by Plaintiff
3 in the amount of \$29,540, plus interest thereon as required by law, and (2) costs in
4 the amount of \$_____.

5 Dated: December 11, 2006
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8 By: Paul H. Alvarado
9 Hon. Paul H. Alvarado

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SUPERIOR COURT OF CALIFORNIA
County of San Francisco

VENTAS FINANCE I, LLC,

Plaintiff(s)

vs.

CALIFORNIA FRANCHISE TAX BOARD,

Defendant(s)

Case Number: CGC-05-440001

CERTIFICATE OF MAILING
(CCP 1013a (4))

I, Greg Chuck, a deputy clerk of the Superior Court of the County of San Francisco, certify that I am not a party to the within action.

On December 11, 2006, I served the attached JUDGMENT by placing a copy thereof in a sealed envelope, addressed as follows:

AMY L. SILVERSTEIN, ESQ.
EDWIN P. ANTOLIN, ESQ.
SILVERSTEIN & POMERANTZ LLP
55 Hawthorne St., Suite 440
San Francisco, CA 94105

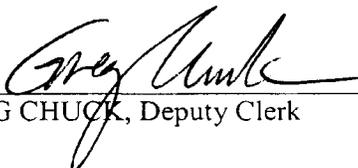
BILL LOCKYER, Attorney General
MARGUERITE C. STRICKLIN, Deputy
Attorney General
1515 Clay Street, Suite 2000
Oakland, CA 94612-0550

and, I then placed the sealed envelopes in the outgoing mail at 400 McAllister Street, San Francisco, CA. 94102 on the date indicated above for collection, attachment of required prepaid postage, and mailing on that date following standard court practices.

Dated: December 11, 2006

GORDON PARK-LI, Clerk

By: _____


GREG CHUCK, Deputy Clerk