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5 Attorneys for Defendants
6 MAIN STREET MANAGEMENT LLC and
CECIL MAIN STREET LLC, erroneously
7 sued as CECIL HOTEL MANAGEMENT

FILED
Superior Court Of California
County Of Los Angeles

SEP 25 2015

Sherri R. Carter, Executive Officer/Clerk
By S. Figueroa, Deputy
Anabella Figueroa

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES

10
11 DAVID LAM, an individual; YINNA LAM, an
individual,

12 Plaintiffs,

13 v.

14 CECIL HOTEL MANAGEMENT, INC. a
15 California Corporation; DOES 1 through 25,
16 inclusive,

17 Defendants.

Case No.: BC521927

**DECLARATION OF SANTIAGO LOPEZ
IN SUPPORT OF DEFENDANTS MOTION
FOR SUMMARY JUDGMENT**

Reservation No: 140902025798

Date: December 14, 2015
Time: 1:30 p.m.
Dept.: 93

Trial Date: February 11, 2016

18
19 I, Santiago Lopez, declare that:

20 1. I have personal knowledge of the information set forth herein below, unless noted as
21 based on information and belief, all of which is true and correct of my own personal knowledge, and if
22 called upon to testify, I could and would competently testify thereto.

23 2. I have been employed as a maintenance staff employee at the Cecil/Stay on Main Hotel
24 since 2010.

25 3. On February 19, 2013, while working at the hotel, I received a notice that the guest in
26 Room 320 was complaining of a lack of water pressure. I then went to Room 320 and confirmed the
27 lack of water pressure.

28 4. I next went to Room 720, which is serviced by the same water line as Room 320, to

10/01/2015

1 check its water pressure. The water pressure in Room 720 was also impaired. I concluded there was
2 likely a problem with the water flow from one of the main water tanks from the roof.

3 5. There are two alarm areas at the hotel. One is a roof top access door on the 15th floor of
4 the hotel and the other is a fire escape on the 2nd floor of the hotel. Whenever someone opens the roof
5 top access door, it activates an alarm which rings very loudly and can be heard all over the 14th and
6 15th floors and also rings at the front desk at the first floor. The alarm can only be turned off with a
7 key which only maintenance staff possess.

8 6. On February 19, 2013, I took one of the two elevators to the 15th floor, then proceeded
9 up the stairway to the roof top access door. The alarm for the roof top access door appeared to be in
10 proper working order. I deactivated the alarm for the door, then entered the roof and walked to the
11 area where the water tanks for the hotel are located. I then climbed up the platform upon which the
12 water tanks sat, and then climbed a ladder up onto the main water tank.

13 7. I noticed that the hatch to the main water tank was open and looked inside, and saw an
14 Asian woman lying face up on the water approximately 12 inches from the top of the tank.

15 8. After discovering the body, I immediately contacted my supervisor, Pedro Tovar, by
16 walkie-talkie. We then went down to the first floor office to advise Amy Price, the general manager,
17 of my discovery and to notify the authorities

18 9. After the police arrived, I was interviewed about what I had done in connection with the
19 water pressure situation and the discovery of the body.

20 10. Previously, when Ms. Lam first was reported missing and the police were conducting
21 their investigation, I had opened guest room doors on two floors of the hotel to assist with the
22 investigation. This was my only involvement with the police investigation relative to the Elisa Lam
23 matter.

24 11. Between January 30, 2013 and February 19, 2013, I do not recall hearing the alarm for
25 the 15th floor roof top access door being activated at any time and I was not called to turn off the alarm
26 to the 15th floor roof top access door at any time during that timeframe.

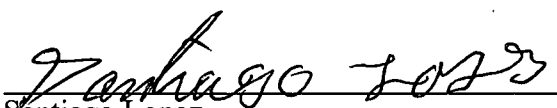
27 12. During my employment at the Cecil/Stay on Main Hotel, other than the incident with
28 Ms. Lam, I am unaware of any instances of unauthorized access to any of the roof top water tanks by

1 anyone, including hotel guests.

2 13. During my employment at the Cecil/Stay on Main Hotel, other than the incident with
3 Ms. Lam, I am unaware of any instances of anyone, including hotel guests, being injured by or in any
4 of the roof top water tanks.

5 14. During my employment at the Cecil/Stay on Main Hotel, other than the incident with
6 Ms. Lam, I am unaware of any instances of anyone, including hotel guests, drowning in any of the roof
7 top water tanks.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing is
9 true and correct and that this Declaration was executed on this 25th day of February 2015, in Los
10 Angeles, California.

11
12 
13 Santiago Lopez

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10/01/2015

CERTIFICATE OF SERVICE

I, Teresa Harris, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 550 South Hope Street, Suite 650, CA 90071.

On September 25, 2015, I served the following document(s) on the parties in the within action:

DECLARATION OF SANTIAGO LOPEZ IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

X	BY MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Los Angeles, California on this date, addressed as follows:
	BY HAND: The above-described document(s) will be placed in a sealed envelope which will be hand-delivered on this same date by _____, addressed as follows:

Thomas S. Johnston
Johnston & Hutchinson LLP
601 W. Fifth Street, Suite 210
Los Angeles, CA 90071

Attorney For Plaintiffs
DAVID LAM AND YINNA LAM

D. Scott Warmuth
Law Offices of Scott Warmuth APC
17700 Castleton Street
Suite 168
City of Industry, Ca. 91748

Attorney For Plaintiffs
DAVID LAM AND YINNA LAM

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on September 25, 2015.

By


Teresa Harris

10/01/2015

CRS RECEIPT

INSTRUCTIONS

Please print this receipt and attach it to the corresponding motion/document as the last page. Indicate the Reservation ID on the motion/document face page (see example). The document will not be accepted without this receipt page and the Reservation ID.

SUPERIOR COUNTY OF LOS ANGELES

CASE NO. BC521927

TITLE OF MOTION AND MOTION
FOR SUMMARY JUDGMENT

DATE 12/14/2015

TIME 01:30 PM

RES ID: 131112001085

RESERVATION INFORMATION

Reservation ID: 140902025798
Transaction Date: March 5, 2015
Case Number: BC521927
Case Title: DAVID LAM ET AL VS CECIL HOTEL MANAGEMENT INC
Party: CECIL HOTEL MANAGEMENT INC (Defendant/Respondent)
Courthouse: Stanley Mosk Courthouse
Department: 093
Reservation Type: Motion for Summary Judgment
Date: 12/14/2015
Time: 01:30 pm

FEE INFORMATION (Fees are non-refundable)

Reschedule Fee - Motion for Summary Judgment	\$20.00
Total Fees:	Receipt Number: 1150305K5367
	\$20.00

PAYMENT INFORMATION

Name on Credit Card: Nancy Duliere
Credit Card Number: XXXX-XXXX-XXXX-1414

10/01/2015

A COPY OF THIS RECEIPT MUST BE ATTACHED TO THE CORRESPONDING MOTION/DOCUMENT AS THE LAST PAGE AND THE RESERVATION ID INDICATED ON THE MOTION/DOCUMENT FACE PAGE.