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Attorneys for Plaintiff
Francisco Gudino Cardenas

IN THE SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF ORANGE
(UNLIMITED CIVIL)

FRANCISCO GUDINO CARDENAS, an
individual

Plaintiff,

vs.

GHOST GUNNER INC., d/b/a
GHOSTGUNNER.NET, et al.

Defendants.

No. 30-2019-01111797-CU-PO-CJC

PLAINTIFF'S APPLICATION AND
DECLARATION OF COUNSEL FOR
EXTENSION (FIRST) OF TIME TO
SERVE DEFENDANTS AND FILE
PROOFS OF SERVICE

I, Ben Rosenfeld, declare as follows:

1. I am an attorney licensed to practice law throughout the State of California and before this Court. If called as a witness in this matter, I could and would testify as follows, based on my own knowledge and experience:

2. I followed this action against the above-named defendants on November 14, 2019.

3. Pursuant to Cal. Rule of Court ("CRC") 3.110(b), a complaint must be served within 60 days of filing. However, CR 3.110(e) permits the Court, "on its own motion or on the application of a party, may extend or otherwise modify the times provided in" subdivision (b). Although CRC 3.110(e) also requires that an application to extend the time for service "be filed before the time for service has elapsed," the Rules do not provide for dismissal in these circumstances. Rather, the law favors the resolution of cases on their merits.

4. Plaintiff's counsel are still in the process of determining correct service addresses for the large number of defendants in this case, and preparing to serve the summons and complaint on them. Our efforts are complicated by the fact that many of the defendants appear to be based outside of California, they are not registered with the California Secretary of State. For these reasons, we need and hereby request additional time to determine service addresses for defendants and accomplish service.

5. In light of the foregoing, plaintiff respectfully and retroactively requests an extension to accomplish service and file proofs of service until May 13, 2020.

I swear under penalty of perjury under the laws of the State of California that the foregoing is correct. Sworn and subscribed to in Portland, OR on February 3, 2020.

Respectfully Submitted,

Ben Rosenfeld, Attorney
Gerald B. Singleton, Attorney



Dated: February 3, 2020

By: Ben Rosenfeld
Attorneys for Plaintiff Cardenas