

CIV-141

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: Sean A. Brady FIRM NAME: Michel & Associates, P.C. STREET ADDRESS: 180 East Ocean Blvd., Suite 200 CITY: Long Beach TELEPHONE NO.: (562) 216-4444 E-MAIL ADDRESS: sbrady@michellawyers.com ATTORNEY FOR (Name): MFY Technical Solutions, LLC	STATE BAR NO: 262007 STATE: CA ZIP CODE: 90802 FAX NO.: (562) 216-4445	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 West Civic Center Drive MAILING ADDRESS: 700 West Civic Center Drive CITY AND ZIP CODE: Santa Ana, 92701 BRANCH NAME: Central Justice Center		
PLAINTIFF/PETITIONER: Francisco G. Cardenas DEFENDANT/RESPONDENT: Ghost Gunner, Inc., et al.		
DECLARATION OF DEMURRING OR MOVING PARTY IN SUPPORT OF AUTOMATIC EXTENSION		CASE NUMBER: 30-2019-0111797-CU-PO-CJC

1. (Name of party): MFY Technical Solutions, LLC was served with

☒ a complaint ☐ an amended complaint ☐ a cross-complaint
☐ an answer ☐ other (specify):
in the above-titled action.

2. For a demurrer or motion to strike, a responsive pleading is due on (date): October 20, 2020

DECLARATION

I intend to file a demurrer, motion to strike, or motion for judgment on the pleadings in this action. Before I can do so, I am required to meet and confer with the party who filed the pleading that I am responding to at least five days before the date when the responsive pleading is due (if I am filing a demurrer or motion to strike) and at least five days before the last day a motion for judgment on the pleadings may be filed (if I am filing a motion for judgment on the pleadings). We have not been able to meet and confer. I have not previously requested an automatic extension of time. Therefore, on timely filing and serving a declaration that meets the requirements of Code of Civil Procedure sections 430.41, 435.5, or 439, I am entitled to an automatic 30-day extension of time within which to file a responsive pleading or motion for judgment on the pleadings.

I made a good faith attempt to meet and confer with the party who filed the pleading at least five days before the date the responsive pleading was due (if I am filing a demurrer or motion to strike) and at least five days before the last day a motion for judgment on the pleadings may be filed (if I am filing a motion for judgment on the pleadings). I was unable to meet with that party because (the reasons why the parties could not meet and confer are stated):

☒ below ☐ on form MC-031, Attached Declaration

On October 14, 2020, and again on October 15, 2020, I, Sean A. Brady, counsel for Defendant MFY Technical Solutions, LLC and other defendants named in this matter, sent electronic correspondence to the two attorneys listed as counsel for Plaintiff Francisco Cardenas in the caption of the complaint filed in this action, Gerald B. Singleton and Ben Rosenfeld, at the email addresses listed in that caption, requesting to meet and confer on behalf of my clients concerning, among other matters, their filing of a demurrer. I did not receive a response until today, October 19, 2020, from Mr. Rosenfeld. Apparently, there was a typo in his email address listed on the complaint that I copied and pasted. I did not see the typo until today because the email address with the typo did not send back an error message. Mr. Rosenfeld's response to my correspondence stated that he is unable to meet and confer on the matters raised in my correspondence to him until October 26, 2020, which I believe is passed my client's deadline to file a responsive pleading.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: October 19, 2020

Sean A. Brady

(NAME OF PARTY OR ATTORNEY FOR PARTY)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF ORANGE

4 I, Laura Palmerin, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

6 On October 19, 2020, I served the foregoing document(s) described as:

7 **DECLARATION OF DEMURRING OR MOVING PARTY IN SUPPORT OF**
8 **AUTOMATIC EXTENSION**

9 on the interested parties in this action by placing
10 [] the original
11 [X] a true and correct copy
thereof by the following means, addressed as follows:

12 Gerald B. Singleton
13 Singleton Law Firm
14 450 A Street, 5th Floor
San Diego, CA 92101
gerald@SLFfirm.com

15 Ben Rosenfeld
16 115 ½ Bartlett Street
17 San Francisco, CA 94110
ben.rosenfeld@comcast.net

18 *Attorneys for Plaintiff*

19
20 X (BY ELECTRONIC MAIL) As follows: I served a true and correct copy by electronic
21 transmission through One Legal. Said transmission was reported and completed without
error.

22 X (STATE) I declare under penalty of perjury under the laws of the State of California that
23 the foregoing is true and correct.

24 Executed on October 19, 2020, at Long Beach, California.

25 
26 Laura Palmerin