

POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Ben Rosenfeld (Cal. SBN 203845) 115 1/2 Bartlett Street San Francisco, CA 94110		FOR COURT USE ONLY
TELEPHONE NO.: (415) 285-8091 FAX NO. (Optional): (415) 285-8092 E-MAIL ADDRESS (Optional): ben.rosenfeld@comcast.net ATTORNEY FOR (Name): Francisco Gudino Cardenas		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 W. Civic Center Drive MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92702 BRANCH NAME: Central Justice Center		
PLAINTIFF/PETITIONER: Cardenas DEFENDANT/RESPONDENT: Ghost Gunner Inc., et al.		CASE NUMBER: 30-2019-0111797-CU-PO-CJC
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☐ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): Plaintiff's 11/22/19 Notice of Errata re Complaint; 5/20/20 Order setting court trial on 6/14/21
3. a. Party served (specify name of party as shown on documents served):
Cody Wilson, d/b/a ghostgunner.net
- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
Ben Chalker
4. Address where the party was served:
2320 Donley Drive #C, Austin, TX 78758
5. I served the party (check proper box)
 - a. ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
 - b. ☐ **by substituted service.** on (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PLAINTIFF/PETITIONER: Cardenas	CASE NUMBER:
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5. c. ☒ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): August 26, 2020 (2) from (city): San Francisco
- (3) ☒ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify): Cody Wilson, d/b/a ghostgunner.net
under the following Code of Civil Procedure section:
- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input checked="" type="checkbox"/> other: CCP 415.30 |

7. **Person who served papers**

- a. Name: Ben Rosenfeld
- b. Address: 115 1/2 Bartlett Street, San Francisco, CA 94110
- c. Telephone number: (415) 285-8091
- d. **The fee** for service was: \$0
- e. I am:
- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ a registered California process server:
- ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.:
- (iii) County:

8. ☒ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: November 19, 2020

Ben Rosenfeld, Attorney

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)

PROOF OF SERVICE

Cardenas v. Ghost Gunner Inc. et al.

Case No. 30-2019-01111797-CU-PO-CJC (Orange County Superior Court)

I, the undersigned, hereby declare and state that I am over the age of 18, employed in the City of San Francisco, California, and not a party to the within action. My business address is 115 ½ Bartlett Street, San Francisco, CA 94110.

On the date set forth below, I caused or will cause the following document(s)

PROOF OF SERVICE OF SUMMONS on Defendant Cody Wilson, d/b/a
ghostgunner.net

to be served via the following methods, on the following recipients:

☒ Email
☐ U.S.P.S. First Class or Priority Mail
☐ U.S.P.S. Express Mail
☐ Personal Delivery
☐ Facsimile

Sean A. Brady, Esq.
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jfelton@pettitkohn.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on November 19, 2020, at San Francisco, California.



Ben Rosenfeld, Attorney