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FILED
LOS ANGELES SUPERIOR COURT

MAR 25 2013

JOHN A. CLARKE, CLERK

A. Harris - Richardson
BY A. HARRIS - RICHARDSON, DEPUTY

8 Attorneys for **SPECIALLY APPEARING**
9 Defendants **JAIME DeJESUS GONZALEZ**,
10 erroneously sued and served as "JAIME DEJESUS"; and
11 **LINDA MANSDORF**

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF LOS ANGELES - WEST DISTRICT**
14 **SANTA MONICA COURTHOUSE**

15 ALTA STANDARD ONE, LLC,

16 Plaintiff,

17 vs.

18 JAIME DEJESUS GONZALEZ, LINDA
19 MANSDORF, and Does 1 through 10,
20 inclusive,

21 Defendants.

Case No. 13 U 00769
[Limited Civil Jurisdiction]

SPECIALLY APPEARING DEFENDANTS
NOTICE OF MOTION AND MOTION TO
QUASH SERVICE OF SUMMONS AND
UNLAWFUL DETAINER COMPLAINT FOR
FAILURE TO STATE A CAUSE OF ACTION
PURSUANT TO *GREENER v. WORKERS'*
***COMPENSATION*; MEMORANDUM OF**
POINTS AND AUTHORITIES IN SUPPORT
THEREOF.

Notice of Demurrer and Demurrer and Request
for Judicial Notice and [Proposed] Order filed
concurrently herewith.

HEARING RESERVED:

DATE : April 4, 2013
TIME : 8:30 a.m.
DEPT. : "S"

22 TO THE PLAINTIFF AND TO ITS ATTORNEYS OF RECORD HEREIN:

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26 PLEASE TAKE NOTICE that on April 4, 2013, 8:30 a.m., or as soon thereafter as the
27 matter may be heard in Department "S", of the above-entitled Court located at 1725 Main
28 Street, Santa Monica, California 90401, Defendants JAIME DeJESUS GONZALEZ,

000131

1 erroneously sued and served as "JAIME DEJESUS", and LINDA MANSDORF (sometimes
2 collectively the "Defendants") will and do hereby move to quash, pursuant to *Greener v.*
3 *Workers' Compensation Appeals Board*, 6th Cal.4th 1028, 1036 (1993), and California *Code of Civil*
4 *Procedure* 430.10(e), to the Complaint for Unlawful Detainer of ALTA STANDARD ONE,
5 LLC (the "Plaintiff"), on the grounds that the Complaint for unlawful detainer fails to state facts
6 sufficient to constitute a cause of action against the Defendants because Plaintiff is not the real
7 party in interest and does not have title to the property of which it seeks possession (*Code of*
8 *Civil Procedure* §430.10 (e)).

9 By separate motion concurrently filed, these Moving Defendants have filed a Demurrer
10 to Plaintiff's Complaint for Unlawful Detainer.

11 This Motion is based on this Notice, the attached memorandum of points and authorities,
12 the Declaration of Elaine D. Etingoff, the Request for Judicial Notice filed concurrently
13 herewith, all papers and records on file herein, and such evidence, both oral and documentary,
14 as may be presented at the hearing of this motion.

15 DATED: March 25, 2013

LAW OFFICES OF ELAINE D. ETINGOFF

16 By: 

17 Elaine D. Etingoff, Esq.

18 Attorney for Specially Appearing Defendants
19 JAIME DeJESUS GONZALEZ, and
20 LINDA MANSDORF
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