

Superior Court of California
County of Los Angeles

Daniel Resnic dba Strata Various Product Design, Plaintiff	Case No.: BC534287
vs. Remijo "Ray" Chavez, aka, Defendant	Tentative Ruling FILED Superior Court of California County of Los Angeles JAN 21 2015 Sherri B. Carter, Executive Officer/Clerk By <i>[Signature]</i> Steve Tambador Deputy

Hearing Date: January 21, 2014
Department 54, Judge Ernest M. Hiroshige
Defendant Motion to Dismiss for Plaintiff's failure to file First Amended Complaint

Moving Party: Defendant Ray Roth
Responding Party: None

T/R: Motion to Dismiss is granted per CCP § 581(f)(2) for Plaintiff's failure to file a First Amended Complaint per order of the Court.

After demurrer to his complaint, Plaintiff was given 20 days leave to amend and file a First Amended Complaint, however, the deadline was October 6, 2014, and he failed to file and serve such a document.

The Court also finds that Plaintiff/Cross-Defendant has failed to answer the Defendant/cross complainant's Cross complaint and failed to appear in Court when ordered to do so on December 19, 2014. The Court finds Daniel Resnic in default as to the Cross Complaint and orders cross complainant to proceed with Default prove up procedures as scheduled by the Clerk in Dept. 54.

The Court adopts by this reference the moving papers and points and authorities as further rationale for this decision.

Defendant to Notice this ruling to Plaintiff / Cross Complainant Daniel Resnic.

Date: January 21, 2015

[Signature]
Honorable Ernest M. Hiroshige

01/23/2015