

ATTORNEY OR PARTY WITHOUT ATTORNEY: (Name and Address) BRYANT BURNSTAD, SBN 297286 RESURGENCE LEGAL GROUP, PC 10805 Holder Street, Suite 167 Cypress, CA 90630 (T) 877/440-0860 (F) 714/226-0024 EMAIL: CAAttorney@ResurgenceLegal.com Attorney for Plaintiff TP126445	FOR COURT USE ONLY Electronically FILED by Superior Court of California, County of Los Angeles 10/07/2024 11:51 AM David W. Slayton, Executive Officer/Clerk of Court, By H. Martinez, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES CHATSWORTH COURTHOUSE NORTH VALLEY JUDICIAL DISTRICT 9425 PENFIELD AVE CHATSWORTH, CA 91311	
PLAINTIFF/PETITIONER: LVNV FUNDING LLC DEFENDANT/RESPONDENT: DAVID BARG	
REQUEST FOR (Application) <input checked="" type="checkbox"/> Entry of Default <input checked="" type="checkbox"/> Judgment	CASE NUMBER: 23CHLC22869
For use only in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.)	

1. On the complaint or cross-complaint filed
 - a. on (date): August 28, 2023
 - b. by (name): LVNV FUNDING LLC
 - c. ☒ Enter default of defendant (names): DAVID BARG
 - d. ☒ I request a judgment under Civil Code section 1788.60 and Code of Civil Procedure section 585 against defendant (names): DAVID BARG
(Testimony may be required. Check with the clerk regarding whether a hearing date is needed.)
 - e. ☐ Default was previously entered on (date):

2. Judgment to be entered.

	Amount	Credits Acknowledged	Balance
a. Demand of complaint*	\$9,339.79	\$0.00	\$9,339.79
b. Interest	\$0.00	\$0.00	\$0.00
c. Costs (see page 3)	\$293.00	\$0.00	\$293.00
d. Attorney fees	\$0.00	\$0.00	\$0.00
e. TOTALS	\$9,632.79	\$0.00	\$9,632.79

(*Must be established by business records, authenticated through a sworn declaration, submitted with this application. (Civ. Code, §§ 1788.58(a)(4), 1788.60(a).))

3. This action is not barred by the applicable statute of limitations (Civ. Code, § 1788.56).
4. Requirements for the complaint.
 - a. The complaint alleges ALL of the following (Civ. Code, §§ 1788.58, 1788.60):
 - (1) That the plaintiff is a debt buyer;
 - (2) A short, plain statement regarding the nature of the underlying debt and the consumer transaction from which it is derived;
 - (3) That the plaintiff is EITHER the sole owner of the debt OR has the authority to assert the rights of all owners of the debt;
 - (4) The debt balance at charge-off and an explanation of the amount and nature of, and reason for, all post charge-off interest and fees, if any, imposed by the charge-off creditor or any subsequent purchasers of the debt;
 - (5) The date of the default OR the date of the last payment;
 - (6) The name and address of the charge-off creditor at the time of charge-off in a sufficient form so as to reasonably identify the charge-off creditor, and the charge-off creditor's account number associated with the debt;

4. a. (7) The name and last known address of the debtor as they appeared in the charge-off creditor's records prior to the sale of the debt;
- (8) The names and addresses of all persons or entities that purchased the debt after charge-off, including the plaintiff debt buyer, in sufficient form so as to reasonably identify each such purchaser; and
- (9) That the plaintiff has complied with Civil Code section 1788.52.
- b. A copy of the contract or other document described in Civil Code section 1788.52(b) is attached to the complaint.
5. **Documentation requirements for default judgment.** ALL of the following documents are submitted with this request for default judgment (Civ. Code, § 1788.60(a)-(c)):
- a. A copy of the contract or other document evidencing the debtor's agreement to the debt, authenticated through a sworn declaration. See Civil Code section 1788.52(b) regarding documentation, including for revolving credit accounts.
- b. Business records, authenticated through a sworn declaration, to establish:
- (1) That the plaintiff is EITHER the sole owner of the debt OR has the authority to assert the rights of all owners of the debt;
- (2) The debt balance at charge-off, and an explanation of the amount and nature of, and reason for, all post charge-off interest and fees, if any, imposed by the charge-off creditor or any subsequent purchasers of the debt;
- (3) The date of the default OR the date of the last payment;
- (4) The name and address of the charge-off creditor at the time of charge-off in sufficient form so as to reasonably identify the charge-off creditor, and the charge-off creditor's account number associated with the debt;
- (5) The name and last known address of the debtor as they appeared in the charge-off creditor's records prior to the sale of the debt; and
- (6) The names and addresses of all persons or entities that purchased the debt after charge-off, including the plaintiff debt buyer, in sufficient form so as to reasonably identify each such purchaser.

Date: September 25, 2024
☑ BRYANT BURNSTAD, SBN 297286


(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY (1) ☐ Default entered as requested on (date): _____
(2) ☒ Default NOT entered as requested (state reason): Previously entered on 02/20/2024
H. Martinez Clerk, by _____, Deputy

6. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant ☐ did ☒ did not for compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state:
- a. Assistant's name: _____ c. Telephone no.: _____
- b. Street address, city, and zip code: _____ d. County of registration: _____
- e. Registration no.: _____
- f. Expires on (date): _____
7. ☒ **Declaration under Code Civ. Proc., § 585.5** (for entry of default under Code Civ. Proc., § 585(a)). This action
- a. ☐ is ☒ is not on a contract or installment sale for goods or services subject to Civ. Code § 1801 et seq. (Unruh Act).
- b. ☐ is ☒ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
- c. ☐ is ☒ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

8. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was
- ☐ **not mailed** to the following defendants whose addresses are unknown to plaintiff or plaintiff's attorney (*names*):
 - ☒ **mailed** first-class, postage prepaid, in a sealed envelope addresses to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

(1) Mailed on (*date*): 09/30/2024

(2) To (*specify names and addresses shown on the envelopes*)


DAVID BARG
3454 CARIBETH DR
ENCINO CA 91436

I declare under penalty of perjury under the laws of the State of California that the foregoing Items 6, 7 and 8 are true and correct.

Date: 09/30/2024

A. SALAS

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

9. **Declaration of nonmilitary status (required for a judgment).** No defendant named in item 1c of the application is in the military service as that term is defined by either the Servicemembers Civil Relief Act, 50 U.S.C. App. § 3911(2), or California Military and Veterans Code sections 400 and 402(f).

I know that no defendant/respondent named in item 1c is in the U.S. Military service because (*check all that apply*):

- ☒ the search results that I received from <https://scra.dmdc.osd.mil/> say the defendant/respondent is not in the U.S. military service.
- ☐ I am in regular communication with the defendant/respondent and know that they are not in the U.S. military service.
- ☐ I recently contacted the defendant/respondent, and they told me that they are not in the U.S. military service.
- ☐ I know that the defendant/respondent was discharged from U.S. military service on or about (*date*): _____
- ☐ the defendant/respondent is not eligible to serve in the U.S. military because they are:
☐ incarcerated ☐ a business entity
- ☐ other (*specify*): _____

Note

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>
- If the defendant/respondent is in the military service, or their military status is unknown, the defendant/respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

10. **Memorandum of costs (required if money judgment requested).** Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):
- Clerk's filing fees \$225.00
 - Process server's fees \$68.00
 - Other (specify): \$.00
 -
 - TOTAL \$293.00
 - ☐ Costs and disbursements are waived.
 - I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

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

Date: September 25, 2024

☒ BRYANT BURNSTAD, SBN 297286



(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)