

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Lina M. Michael, Esq. SBN:237842; Lisa D. Dubowski, Esq.: SBN: 237003 MICHAEL & ASSOCIATES, PC 555 St. Charles Drive, Suite 204 Thousand Oaks, CA 91360 TELEPHONE NO.: (855) 785-4705 FAX NO. (Optional): (805) 379-8525 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): American Express Bank, FSB	FOR COURT USE ONLY DEFAULT ENTERED AS REQUESTED ELECTRONICALLY FILED <i>Superior Court of California,</i> <i>County of San Francisco</i> 12/15/2015 Clerk of the Court BY: NADITA MASON Deputy Clerk										
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street, Room 103 MAILING ADDRESS: Same CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME: Civic Center Courthouse	CASE NUMBER: CGC-15-543469										
PLAINTIFF/PETITIONER: American Express Bank, FSB, et al. DEFENDANT/RESPONDENT: Stephen H Kendrick; Russian Hill Investors, et al.											
<table style="width: 100%;"> <tr> <td style="width: 20%;">REQUEST FOR</td> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 35%;">Entry of Default</td> <td style="width: 10%;"><input type="checkbox"/></td> <td style="width: 25%;">Clerk's Judgment</td> </tr> <tr> <td>(Application)</td> <td><input type="checkbox"/></td> <td>Court Judgment</td> <td></td> <td></td> </tr> </table>		REQUEST FOR	<input checked="" type="checkbox"/>	Entry of Default	<input type="checkbox"/>	Clerk's Judgment	(Application)	<input type="checkbox"/>	Court Judgment		
REQUEST FOR	<input checked="" type="checkbox"/>	Entry of Default	<input type="checkbox"/>	Clerk's Judgment							
(Application)	<input type="checkbox"/>	Court Judgment									

1. TO THE CLERK: On the complaint or cross-complaint filed
- on (date): 06/24/2015
 - by (name): American Express Bank, FSB, a federal savings bank
 - ☒ Enter default of defendant (names): Stephen H Kendrick, aka Stephen Hayes Kendrick, an individual;
Russian Hill Investors, a California Limited Partnership, adba Russian Hill Invstrs
 - ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):

(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)

- e. ☐ Enter clerk's judgment
- (1) ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)
☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
 - (2) ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - (3) ☐ for default previously entered on (date):

2. Judgment to be entered.	<u>Amount</u>	<u>Credits acknowledged</u>	<u>Balance</u>
a. Demand of complaint	\$	\$	\$
b. Statement of damages *			
(1) Special	\$	\$	\$
(2) General	\$	\$	\$
c. Interest	\$	\$	\$
d. Costs (see reverse)	\$	\$	\$
e. Attorney fees	\$	\$	\$
f. TOTALS	\$	\$	\$

g. **Daily damages** were demanded in complaint at the rate of: \$ _____ per day beginning (date): _____
 (* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)

3. ☐ (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).

Date: December 15, 2015

Lina M. Michael, Esq.

(TYPE OR PRINT NAME)

(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): _____

Clerk, by _____, Deputy

PLAINTIFF/PETITIONER: American Express Bank, FSB, et al.

CASE NUMBER:

CGC-15-543469

DEFENDANT/RESPONDENT: Stephen H Kendrick; Russian Hill Investors, et al.

4. **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):

5. ☒ **Declaration under Code of Civil Procedure Section 585.5** (required 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).

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was

- a. ☐ **not mailed** to the following defendants, whose addresses are **unknown** to plaintiff or plaintiff's attorney (names):
b. ☒ **mailed** first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

(1) Mailed on (date):

December 15, 2015 See attachment 6b

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

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: December 15, 2015

Stephanie Roth

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

- a. Clerk's filing fees \$
b. Process server's fees \$
c. Other (specify): \$
d. \$
e. **TOTAL** \$

- f. ☐ Costs and disbursements are waived.

9. 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:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

8. ☒ **Declaration of nonmilitary status** (required for a judgment). No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

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

Date: December 15, 2015

Lina M. Michael, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Attachment 6b:

Name: Stephen H Kendrick, aka Stephen Hayes Kendrick, an individual.

Address: 580 California Street, Ste 1200, San Francisco, CA 94104.

Name: Employee, Front Desk, who accepted Service
Russian Hill Investors, a California Limited Partnership, adba
Russian Hill Invstrs.

Address: 580 California Street, Ste 1200, San Francisco, CA 94104.