

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
400 MCALLISTER STREET, SAN FRANCISCO, CA 94102

AMERICAN EXPRESS BANK, FBS, A
FEDERAL SAVINGS BANK

PLAINTIFF (S)

VS.

STEPHEN H KENDRICK et al

DEFENDANT (S)

NO. CGC-15-543469

ENTRY OF DEFAULT REJECT

Issued to: PLAINTIFF AMERICAN EXPRESS BANK, FBS, A FEDERAL SAVINGS BANK

Your Request to Enter Default against STEPHEN H KENDRICK, RUSSIAN HILL INVESTORS, A CALIFORNIA LIMITED submitted on NOV-05-2015 can not be processed for the reason(s) stated below.

Request is Premature--40 days have not elapsed from time of service (CCP 415.20).

Other: The request for default could not be entered because: 1.) The date on line 1a is incorrect. 10/28/15 is NOT the date of filing of the 1st amended complaint. 2.) The proof of service for Russian Hill shows service by mail on 10/22/15, substitute service. Service is complete 10 days after mailing with an additional 30 days to respond as noted on the Summons issued June 29, 2015. 3.) The proof of service filed on Oct. 28, 2015 as to Stephen Kendrick is defective. A 1st amended complaint was filed on 6/24/15 however the declarations attached indicate service of only the original complaint dated between the months of March and April. Please review and resubmit. Thank you.

DATED: Nov 06, 2015

By: Default Clerk or Deputy Court Clerk

Clerk of the Superior Court