

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): Michael & Associates Lina M Michael CA Bar# 237842 668 St. Charles Dr Suite 204 Thousand Oaks, CA 91380 TELEPHONE NO.: 805-379-8506 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): AMERICAN EXPRESS BANK, FSB		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of San Francisco 07/27/2015 Clerk of the Court BY: CAROL BALISTRERI Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street, Room 103 MAILING ADDRESS: CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME: Civic Center Courthouse		
PLAINTIFF/PETITIONER: AMERICAN EXPRESS BANK, FSB DEFENDANT/RESPONDENT: STEPHEN H KENDRICK, AKA STEPHEN HAYES KENDRICK, AN INDIVIDUAL; RUSSIAN HILL INVESTORS, A CALIFORNIA LIMITED PARTNERSHIP, ADBA RUSSIAN HILL INVSTRS		
PROOF OF SERVICE OF SUMMONS		CASE NUMBER: CGC-14-543469 Ref. No. or File No.: 14125910-803/TC-751

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of (specify documents):
SUMMONS ON FIRST AMENDED COMPLAINT; FIRST AMENDED COMPLAINT FOR DAMAGES; CIVIL CASE COVER SHEET; Alternative Dispute Resolution (ADR) Packet
3. a. Party served (specify name of party as shown on documents served):
STEPHEN H KENDRICK, AKA STEPHEN HAYES KENDRICK, AN INDIVIDUAL
- b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
588 CALIFORNIA STREET, STE 1200, SAN FRANCISCO, CA 94104
5. I served the party (check proper box)
- a. ☐ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): at (time):
- b. ☒ by substituted service. On (date): **07/17/2015** at (time): **10:38 AM** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
Kahn Doe, EMPLOYEE, EMPLOYEE, who accepted service, an Asian male approx. 35-45 years of age, 5'6"-5'8" tall, weighing 180-200 lbs with black hair with glasses address confirmed.
- (1) ☒ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4) ☒ I thereafter caused to be mailed (by first class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc. § 415.20). Documents were mailed on (date): from (city): or ☒ a declaration of mailing is attached.
- (5) ☒ I attach a declaration of diligence stating actions taken first to attempt personal service.

BY FAX



REF: 14125910-803/TC-751

PROOF OF SERVICE OF SUMMONS

Page 1 of 2
 Code of Civil Procedure, § 417.10
 Tracking #: 0007902823



PLAINTIFF/PETITIONER: AMERICAN EXPRESS BANK, FSB	CASE NUMBER:
DEFENDANT/RESPONDENT: STEPHEN H KENDRICK, AKA STEPHEN HAYES KENDRICK, AN INDIVIDUAL; RUSSIAN HILL INVESTORS, A CALIFORN...	CGC-14-543469

- c. ☐ by mail and acknowledgement of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the Notice and Acknowledgement of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt.) (Code Civ. Proc., § 415.30)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)
- d. ☐ by other means (specify means of service and authorizing code section):
- ☐ Additional page describing service is attached.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a. ☒ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☐ On behalf of (specify)
- under the following Code of Civil Procedure section:
- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.48 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: Billy Pena
- b. Address: 304 12th St, Suite 4A, Oakland, CA 94607
- c. Telephone number: 510-832-0701
- d. The fee for service was: \$ 65.00
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server.

- (i) ☐ owner ☐ employee ☒ independent contractor. For: ABC Legal Services, Inc.
- (ii) ☒ Registration No.: 1432 Registration #: 6779
- (iii) ☒ County: Santa Clara County: Los Angeles

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

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 7/9/15

Billy Pena

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

B. Pena

(SIGNATURE)

BY FAX



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): Michael & Associates 865 St. Charles Dr Suite 204 Thousand Oaks, CA 91320 TELEPHONE NO.: 805-379-8808 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): AMERICAN EXPRESS BANK, FSB		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street, Room 103 MAILING ADDRESS: CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME: Civic Center Courthouse		
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DEFENDANT/RESPONDENT: STEPHEN H KENDRICK, AKA STEPHEN HAYES KENDRICK, AN INDIVIDUAL; RUSSIAN HILL INVESTORS, A CALIFORNIA LIMITED PARTNERSHIP, ADRA RUSSIAN HILL INVSTRS		
DECLARATION OF REASONABLE DILIGENCE		Ref. No. or File No.: 14125910-803/TC-751

Party to Serve:
STEPHEN H KENDRICK, AKA STEPHEN HAYES KENDRICK, AN INDIVIDUAL

Documents:
SUMMONS ON FIRST AMENDED COMPLAINT; FIRST AMENDED COMPLAINT FOR DAMAGES; CIVIL CASE COVER SHEET; Alternative Dispute Resolution (ADR) Packet

Service Address:
580 CALIFORNIA STREET, STE 1200, SAN FRANCISCO, CA 94104

I declare the following attempts were made to effect service by personal delivery:
 7/10/2015 6:36 PM: No access to subject's door - business closed.
 7/11/2015 7:53 AM: No access to subject's door - business closed.
 7/16/2015 11:16 AM: Per KAHN DOE, WHO REFUSED TO GIVE NAME, EMPLOYEE, an Asian male contact approx. 35-45 years of age, 5'6"-5'8" tall, weighing 180-200 lbs with black hair with glasses state subject is no available...

Person who performed diligence:
Billy Pena
304 12th St Suite 4A, Oakland, CA 94607
810-832-0701

I am a registered California process server
 Registration No.: 1432
 County: Santa Clara

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

Date: 7/22/15

Billy Pena
 (NAME OF PERSON WHO PERFORMED DILIGENCE)


 (SIGNATURE)

BY FAX



