



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

Document Scanning Lead Sheet

Jan-29-2015 1:33 pm

Case Number: CUD-15-651037

Filing Date: Jan-29-2015 1:28

Filed by: ANNA TORRES

Juke Box: 001 Image: 04773265

DEMURRER

THOMAS NICHOLSON VS. PAUL DICKERSON ET AL

001C04773265

Instructions:

Please place this sheet on top of the document to be scanned.

1 ALBERT L. BOASBERG
2 Attorney at Law
3 Alexander Building, Suite 1010
4 155 Montgomery Street
5 San Francisco, CA 94104
6 Telephone (415) 989-6960
7 State Bar No. 31205

8 Attorney for Defendant,
9 PAUL DICKERSON

FILED
Superior Court of California
County of San Francisco
JAN 29 2015
CLERK OF THE COURT
BY: Amaya Jones
Deputy Clerk

10 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
11 LIMITED JURISDICTION

13 THOMAS NICHOLSON, etc., et al.,)	No. CUD-14-65103-7
)	
14 Plaintiff,)	NOTICE OF HEARING ON
15 vs.)	<u>DEMURRER</u>
)	
16 PAUL DICKERSON, et al.,)	Date: February 24, 2015
)	Time: 9:30 a.m.
17 Defendants.)	Dept: 501
18 _____)	

19 To the Plaintiffs herein and to their attorneys of record:

20 YOU AND EACH OF YOU will please take notice that
21 the hearing on the within demurrer will take place on February 24, 2015 at the hour of 9:00 a.m.,
22 or as soon thereafter as counsel may be heard, in Department 501 of the above-entitled Court,
23 400 McAllister Street, San Francisco, CA.

24
25
26 Dated: January 29, 2015.

27 Albert L. Boasberg
28 ALBERT L. BOASBERG,
Attorney for Defendant

1 ALBERT L. BOASBERG
2 Attorney at Law
3 Alexander Building, Suite 1010
4 155 Montgomery Street
5 San Francisco, CA 94104
6 Telephone (415) 989-6960
7 State Bar No. 31205

8
9 Attorney for Defendant,
10 PAUL DICKERSON
11

12
13 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
14
15 LIMITED JURISDICTION
16

17 THOMAS NICHOLSON, etc., et al.,)	No. CUD-14-65103
)	
18 Plaintiff,)	DEMURRER TO COMPLAINT,
19 vs.)	<u>POINTS AND AUTHORITIES</u>
)	
20 PAUL DICKERSON, et al.,)	Date: February 24, 2015
)	Time: 9:00 a.m.
21 Defendants.)	Dept: 501
)	

22 To the Plaintiffs herein and to their attorneys of record:

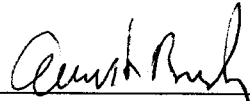
23
24 YOU AND EACH OF YOU will please take notice that PAUL
25 DICKERSON, one of the Defendants herein, hereby demurs to the complaint filed by Plaintiffs
26 herein on the ground that this court lacks subject matter jurisdiction over this matter.

27 Said demurrer will be based upon the fact that Plaintiffs'
28 complaint seeks damages in the sum of \$30,500 which is in excess of the limited jurisdiction of
the above-entitled Court.

Said demurrer will be based upon this Notice, the Points and

1
2 Authorities submitted hereunder, the Memorandum of Points and Authorities, attached hereto,
3 and the pleadings, records and files herein.
4

5
6 Dated: January 29, 2015.



ALBERT L. BOASBERG,
Attorney for Defendants

7
8
9 **POINTS AND AUTHORITIES**

10 CCP Sec. 430.10(a).
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ALBERT L. BOASBERG
Attorney at Law
Alexander Building, Suite 1010
155 Montgomery Street
San Francisco, CA 94104
Telephone (415) 989-6960
State Bar No. 31205

Attorney for Defendant,
PAUL DICKERSON

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
LIMITED JURISDICTION

THOMAS NICHOLSON, etc., et al.,)	No. CUD-14-65103
)	
Plaintiff,)	MEMORANDUM OF POINTS AND
vs.)	AUTHORITIES IN SUPPORT OF
)	<u>DEMURRER TO COMPLAINT</u>
PAUL DICKERSON, et al.,)	Date: February 24, 2015
)	Time: 9:00 a.m.
Defendants.)	Dept: 501
)	

PAUL DICKERSON, one of the Defendants herein, hereby
respectfully submits his Memorandum of Points and Authorities in Support of his Demurrer to
Plaintiffs' Complaint, as follows:

I. INTRODUCTION

Plaintiff's complaint alleges a cause of action for unlawful
detainer.

It states on the face of the complaint, "Demand Does Not
Exceed \$10,000."

1
2 Yet, in Paragraph 10 of Plaintiffs' complaint, damages in the
3 sum of \$30,500 are alleged.

4 In Plaintiffs' prayer for relief at p.4 of the complaint, damages in
5 the sum of \$30,500 are again alleged.

6
7 **II. RELIEF EXCEEDING \$25,000 MAY NOT**
8 **BE GRANTED BY COURTS OF**
9 **LIMITED JURISDICTION**

10 CCP Sec. 86(a(1).

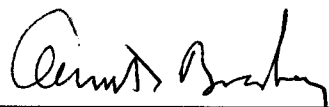
11 **III. CONCLUSION**

12 The Court lacks subject matter jurisdiction over Plaintiffs' cause
13 of action.

14 Accordingly, this demurrer should be sustained without leave to
15 amend and the complaint dismissed.

16 Respectfully submitted,

17
18 Dated: January 29, 2015.

19 
20 ALBERT L. BOASBERG,
21 Attorney for Defendant
22
23
24
25
26
27
28

1
2 PROOF OF SERVICE BY MAIL -- C.C.P. 1013 (a), 2015.5

3 I declare that I am employed in the County of San Francisco, California. I
4 am over the age of eighteen years and not a party to the within entitled action; my
5 business address is: 155 Montgomery Street, Suite 1010, San Francisco,
6 California 94104.

7 On January 29, 2015, I served the attached Demurrer, etc., on the Plaintiffs
8 herein, by placing a true copy thereof enclosed in a sealed envelope with postage
9 thereon fully prepaid, in the United States mail at San Francisco, California,
10 addressed as follows

11
12 Robert P. Gates, Esq.
13 Erskine & Tulley
14 220 Montgomery Street, Suite 315
15 San Francisco, CA 94104
16
17
18

19 I declare under penalty of perjury that the foregoing is true and correct, and
20 that this declaration was executed at San Francisco, California, this 29th day of
21 January, 2015.
22
23

24
25 *Cheryl Campos*
26 CHERYL CAMPOS
27
28