

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

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Case Number: CUD-15-651037

Filing Date: Jan-29-2015 1:28

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DEMURRER

THOMAS NICHOLSON VS. PAUL DICKERSON ET AL

001C04773265

Instructions:

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

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7 State Bar No. 31205
8
9 Attorney for Defendant,
10 PAUL DICKERSON

11 F I L E D
12 Superior Court of California
13 County of San Francisco
14 JAN 29 2015
15 BY: CLERK OF THE COURT
16 Amylee Jones
17 Deputy Clerk

18 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

19 LIMITED JURISDICTION

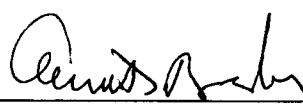
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21 THOMAS NICHOLSON, etc., et al.,) No. CUD-14-65103-7
22)
23 Plaintiff,) NOTICE OF HEARING ON
24 vs.) DEMURRER
25)
26 PAUL DICKERSON, et al.,) Date: February 24, 2015
27) Time: 9:00 a.m.
28 Defendants.) Dept: 501

)

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
28


ALBERT L. BOASBERG,
Attorney for Defendant

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14 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

15
16 LIMITED JURISDICTION

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19 THOMAS NICHOLSON, etc., et al.,) No. CUD-14-65103
20)
21 Plaintiff,) DEMURRER TO COMPLAINT,
22 vs.) POINTS AND AUTHORITIES
23)
24 PAUL DICKERSON, et al.,) Date: February 24, 2015
25) Time: 9:00 a.m.
26 Defendants.) Dept: 501
27)
28 _____)

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

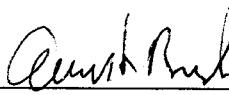
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YOU AND EACH OF YOU will please take notice that PAUL
DICKERSON, one of the Defendants herein, hereby demurs to the complaint filed by Plaintiffs
herein on the ground that this court lacks subject matter jurisdiction over this matter.

Said demurrer will be based upon the fact that Plaintiffs'
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
4 and the pleadings, records and files herein.

5
6 Dated: January 29, 2015.

7 
8 ALBERT L. BOASBERG,
9 Attorney for Defendants

10 **POINTS AND AUTHORITIES**

11 CCP Sec. 430.10(a).

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14 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

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16 LIMITED JURISDICTION

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THOMAS NICHOLSON, etc., et al.,)	No. CUD-14-65103
)	
	Plaintiff,)
vs.)	MEMORANDUM OF POINTS AND
)	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

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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.

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

9 CCP Sec. 86(a)(1).

10 **III. CONCLUSION**

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

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

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16 Respectfully submitted,

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18 Dated: January 29, 2015.

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20 
ALBERT L. BOASBERG,
Attorney for Defendant

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

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

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

Robert P. Gates, Esq.
Erskine & Tolley
220 Montgomery Street, Suite 315
San Francisco, CA 94104

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

Cheryl Campos
CHERYL CAMPOS