

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, number, and address):
James P. Carr, SBN 75357; Tyler J. Barnett, SBN 223478
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ATTORNEY FOR (Name): Plaintiffs Daniel Gonzalez; Bianca Felix

FOR COURT USE ONLY
FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
JAN 03 2012
ALAN CARLSON, Clerk of the Court
Eleanor Sutter
BY E SUTTER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
STREET ADDRESS: 700 Civic Center Drive West
MAILING ADDRESS: 700 Civic Center Drive West
CITY AND ZIP CODE: Santa Ana 92702-1994
BRANCH NAME: Central Justice Center

PLAINTIFF/PETITIONER: Daniel Gonzalez; Bianca Felix
DEFENDANT/RESPONDENT: Mike Bailey; Judith Bailey; et al.

REQUEST FOR DISMISSAL
 Personal Injury, Property Damage, or Wrongful Death
 Motor Vehicle Other
 Family Law Eminent Domain
 Other (specify):

CASE NUMBER:
30-2011-00524603

- A conformed copy will not be returned by the clerk unless a method of return is provided with the document. -

1. TO THE CLERK: Please **dismiss** this action as follows:
a. (1) With prejudice (2) Without prejudice
b. (1) Complaint (2) Petition
(3) Cross-complaint filed by (name): on (date):
(4) Cross-complaint filed by (name): on (date):
(5) Entire action of all parties and all causes of action
(6) Other (specify):* Complaint as to Defendant Windermere Real Estate Social, Inc. only

2. (Complete in all cases except family law cases.)
 Court fees and costs were waived for a party in this case. (This information may be obtained from the clerk. If this box is checked, the declaration on the back of this form must be completed.)

Date: 12/29/2011
Tyler J. Barnett, Esq.
(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)
*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.
(SIGNATURE)
Attorney or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**
Date:
(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)
** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).
(SIGNATURE)
Attorney or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-Complainant

(To be completed by clerk)
4. Dismissal entered as requested on (date) JAN 03 2012
5. Dismissal entered on (date): as to only (name):
6. Dismissal not entered as requested for the following reasons (specify):
7. a. Attorney or party without attorney notified on (date):
b. Attorney or party without attorney not notified. Filing party failed to provide
 a copy to be conformed means to return conformed copy
Date: JAN 03 2012 ALAN CARLSON, Clerk, by *[Signature]*, Deputy

PLAINTIFF/PETITIONER: Daniel Gonzalez; Bianca Felix
 DEFENDANT/RESPONDENT: Mike Bailey; Judith Bailey; et al.

CASE NUMBER:
 30-2011-00524603

Declaration Concerning Waived Court Fees

The court has a statutory lien for waived fees and costs on any recovery of \$10,000 or more in value by settlement, compromise, arbitration award, mediation settlement, or other recovery. The court's lien must be paid before the court will dismiss the case.

1. The court waived fees and costs in this action for *(name)*:
2. The person in item 1 *(check one)*:
 - a. is not recovering anything of value by this action.
 - b. is recovering less than \$10,000 in value by this action.
 - c. is recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3. All court fees and costs that were waived in this action have been paid to the court *(check one)*: Yes No

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

Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY PARTY MAKING DECLARATION)

 (SIGNATURE)

PROOF OF SERVICE - 1013a, 2015.5, 2015 C.C.P.

CASE NAME: DANIEL GONZALEZ; BIANCA FELIX V. MIKE BAILEY, ET AL.
CASE NUMBER: 30-2011-00524603

State of California)
County of Los Angeles) ss:

I am over the age of 18 years, am employed in the aforesaid county and am not a party to the action or proceeding, and my business address is 4676 Admiralty Way, Suite 550, Marina del Rey, California 90292.

On December 29, 2011, I served: **REQUEST FOR DISMISSAL AS TO WINDERMERE REAL ESTATE SOCIAL, INC.**

on the parties in this action by placing:

the original to the propounding party and a true copy to all other parties; or

a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

I then served the envelope as follows:

BY MAIL. I am readily familiar with this office's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the US Postal Service on the same day with postage thereon fully pre-paid at Marina del Rey, California in the ordinary course of business.

FACSIMILE. I caused a facsimile transmission from the following facsimile number (310) 827-4200 to the above listed facsimile numbers. Upon completion of the said facsimile transmission, the transmitting machine issued a transmission report showing the transmission was complete and without error.

PERSONAL SERVICE. I delivered such envelope by hand to the office and/or residence addresses set forth above of the individuals and/or firms.

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

Executed on the above date, at Marina del Rey, California

(State) I declare under penalty of perjury under the laws of the state of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.


CHRISTINE E. MARSHALL

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SERVICE LIST

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WINDERMERE REAL ESTATE SERVICE COMPANY, and WINDERMERE REAL
ESTATE SOCAL, INC.**