

ATTORNEY (Name, state bar number, and address): MIKKI SULLIVAN, ESQ. (#99157) 2139 FIRST AVENUE SAN DIEGO, CA 92101 TELEPHONE NO.: (619) 233-0597 FAX NO.: (619) 233-0479 ATTORNEY FOR (Name): PLAINTIFF, BH PARTNERSHIP	FOR COURT USE ONLY
Insert name of court and name of judicial district and branch court, if any: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION	
PLAINTIFF: BH PARTNERSHIP DEFENDANT: JOHN PRUNIER, WAGNER HIGH SCHOOL ALUMNI AKA WAGNER HIGH ONLINE ALUMNI, and DOES 1 through 30	
REQUEST FOR <input type="checkbox"/> ENTRY OF DEFAULT <input type="checkbox"/> CLERK'S JUDGMENT (Application) <input checked="" type="checkbox"/> COURT JUDGMENT	CASE NUMBER: GIC 765312

1. TO THE CLERK: On the complaint or cross-complaint filed
- a. on (date): APRIL 6, 2001
 - b. by (name): BH PARTNERSHIP
 - c. Enter default of defendant (names): WAGNER HIGH SCHOOL ALUMNI AKA WAGNER HIGH ONLINE ALUMNI
 - d. I request a court judgment under Code of Civil Procedure sections 585(b), (c), 989, etc. (Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code of Civil Procedure section 585(d).)
 - e. Enter clerk's judgment
 - (1) for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc. § 1169.)
 Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
 - (2) under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - (3) for default previously entered on (date):

2. Judgment to be entered

	Amount	Credits acknowledged		Balance
a. Demand of complaint	\$ 38,231.00	\$ 698.16	\$	37,532.52
b. Statement of damages*			\$	
(1) Special	\$	\$	\$	
(2) General	\$	\$	\$	
c. Interest	\$ 8,236.95	\$ -0-	\$	8,236.95
d. Costs (see reverse)	\$ 196.00	\$ -0-	\$	196.00
e. Attorney fees	\$ 2,150.65	\$ -0-	\$	2,150.65
f. TOTALS	\$ 48,116.12	\$	\$	48,116.12

- g. Daily damages were demanded in complaint at the rate of: \$ _____ per day beginning (date): _____
 (*Personal injury or wrongful death actions only in non-limited civil cases; Code Civ. Proc., § 425.11)
3. (Check if filed in an unlawful detainer case) LEGAL DOCUMENT ASSISTANT OR UNLAWFUL DETAINER ASSISTANT information is on the reverse (complete item 4).

Date: FEBRUARY 28, 2002

MIKKI SULLIVAN, ESQ.
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY	(1) <input type="checkbox"/> Default entered as requested on (date): (2) <input type="checkbox"/> Default NOT entered as requested (state reason):	Clerk, by: _____, Deputy
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SHORT TITLE: BH PARTNERSHIP VS. PRUNIER

CASE NUMBER:
GIC 765312

4. LEGAL DOCUMENT ASSISTANT OR UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, § 6400 et seq.) A legal document assistant or unlawful detainer assistant did did not for compensation give advice or assistance with this form. (If declarant has received any help or advice for pay from an unlawful detainer assistant, state):

a. Assistant's name:
c. Street address, city and ZIP:

b. Telephone No.:

d. County of registration:

e. Registration No.:

e. Expires on (date):

5. DECLARATION UNDER CODE OF CIVIL PROCEDURE SECTION 585.5 (Required for entry of default under Code Civ. Proc., § 585(a)) This action

- a. is is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
- b. is is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
- c. is is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

6. DECLARATION OF MAILING (Code Civ. Proc., § 587) A copy of this Request for Entry of Default was

a. not mailed to the following defendants whose addresses are unknown to plaintiff or plaintiff's attorney (names):

b. mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

(1) Mailed on (date): FEBRUARY , 2002

(2) To (specify names and addresses shown on the envelopes):

PLEASE FORWARD-ADDRESS CORRECTION REQUESTED
JOHN PRUNIER
P.O. BOX 824
WINCHESTER, CA 92596

WAGNER HIGH SCHOOL ALUMNI AKA WAGNER HIGH ONLINE ALUMNI
C/O GARY MCCLELLAN
429 WESTVIEW AVENUE, SUITE 1
CLINTON, WI 53525

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: FEBRUARY 28, 2002

MIKKI SULLIAN, ESO.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. MEMORANDUM OF COSTS (Required if judgment requested) Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

a. Clerk's filing fees	\$	196.00
b. Process server's fees	\$	-0-
c. Other (specify):	\$	-0-
d.	\$	-0-
e. TOTAL	\$	196.00

f. Costs and disbursements are waived.

g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

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

Date: FEBRUARY 28, 2002

MIKKI SULLIVAN, ESO.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

8. DECLARATION OF NONMILITARY STATUS (Required for a judgment) No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. Appen. § 501 et seq.).

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

Date: FEBRUARY 28, 2002

MIKKI SULLIVAN, ESO.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

<p>ATTORNEY (Name, state bar number, and address):</p> <p>MIKKI SULLIVAN, ESQ. (#99157) 2139 FIRST AVENUE SAN DIEGO, CA 92101</p> <p>TELEPHONE NO.: (619)233-0597 FAX NO.: (619)233-0479</p> <p>ATTORNEY FOR (Name): PLAINTIFF, BH PARTNERSHIP</p>	<p>FOR COURT USE ONLY</p>
<p>Insert name of court and name of judicial district and branch court, if any:</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO CENTRAL DIVISION</p>	
<p>PLAINTIFF: BH PARTNERSHIP</p> <p>DEFENDANT: JOHN PRUNIER, WAGNER HIGH SCHOOL ALUMNI AKA WAGNER HIGH ONLINE ALUMNI, and DOES 1 through 30</p>	
<p>REQUEST FOR <input type="checkbox"/> ENTRY OF DEFAULT <input type="checkbox"/> CLERK'S JUDGMENT (Application) <input checked="" type="checkbox"/> COURT JUDGMENT</p>	
<p>CASE NUMBER: GIC 765312</p>	

1. TO THE CLERK: On the complaint or cross-complaint filed
- a. on (date): APRIL 6, 2001
 - b. by (name): BH PARTNERSHIP
 - c. Enter default of defendant (names): JOHN PRUNIER
 - d. I request a court judgment under Code of Civil Procedure sections 585(b), (c), 989, etc. (Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code of Civil Procedure section 585(d).)
 - e. Enter clerk's judgment
 - (1) for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc. § 1169.)
 - Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
 - (2) under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
 - (3) for default previously entered on (date):

2. Judgment to be entered

	Amount	Credits acknowledged	Balance
a. Demand of complaint	\$ 38,231.00	\$ 698.16	\$ 38,231.00
b. Statement of damages*			
(1) Special	\$	\$	\$
(2) General	\$	\$	\$
c. Interest	\$ 8,236.95	\$ -0-	\$ 8,236.95
d. Costs (see reverse)	\$ 915.00	\$ -0-	\$ 915.00
e. Attorney fees	\$ 4,641.50	\$	\$ 4,641.50
f. TOTALS	\$ 51,325.97	\$	\$ 51,325.97

- g. Daily damages were demanded in complaint at the rate of: \$ _____ per day beginning (date): _____
 (*Personal injury or wrongful death actions only in non-limited civil cases; Code Civ. Proc., § 425.11)
3. (Check if filed in an unlawful detainer case) LEGAL DOCUMENT ASSISTANT OR UNLAWFUL DETAINER ASSISTANT information is on the reverse (complete item 4).

Date: FEBRUARY 28, 2002

MIKKI SULLIVAN, ESQ.
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

<p>FOR COURT USE ONLY</p>	<p>(1) <input type="checkbox"/> Default entered as requested on (date):</p> <p>(2) <input type="checkbox"/> Default NOT entered as requested (state reason):</p>	<p>Clerk, by: _____, Deputy</p>
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4. **LEGAL DOCUMENT ASSISTANT OR UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, § 6400 et seq.)** A legal document assistant or unlawful detainer assistant did did not for compensation give advice or assistance with this form. (If declarant has received any help or advice for pay from an unlawful detainer assistant, state):

- a. Assistant's name: _____ - b. Telephone No.: _____
- c. Street address, city and ZIP: _____
- d. County of registration: _____
- e. Registration No.: _____ e. Expires on (date): _____

5. **DECLARATION UNDER CODE OF CIVIL PROCEDURE SECTION 585.5** (Required for entry of default under Code Civ. Proc., § 585(a)) This action

- a. is is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
- b. is is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
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6. **DECLARATION OF MAILING (Code Civ. Proc., § 587)** A copy of this Request for Entry of Default was

- a. not mailed to the following defendants whose addresses are unknown to plaintiff or plaintiff's attorney (names):
- b. mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

<p>(1) Mailed on (date): FEBRUARY , 2002</p> <p>PLEASE FORWARD-ADDRESS CORRECTION REQUESTED</p> <p>JOHN PRUNIER P.O. BOX 824 WINCHESTER, CA 92596</p>	<p>(2) To (specify names and addresses shown on the envelopes):</p> <p>WAGNER HIGH SCHOOL ALUMNI AKA WAGNER HIGH ONLINE ALUMNI C/O GARY MCCLELLAN 429 WESTVIEW AVENUE, SUITE 1 CLINTON, WI 53525</p>
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I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: FEBRUARY 28, 2002

MIKKI SULLIAN, ESO.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. **MEMORANDUM OF COSTS** (Required if judgment requested) Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

a. Clerk's filing fees	\$ 196.00	** MOTION TO COMPEL AND MOTION TO STRIKE ANSWER
b. Process server's fees	\$ 65.00	
c. Other (specify): **	\$ 46.00	
d. ***	\$ 608.00	*** SANCTIONS FOR FAILURE TO RESPOND TO DISCOVERY
e. TOTAL	\$ 915.00	

- f. Costs and disbursements are waived.
- g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

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

Date: FEBRUARY 28, 2002

MIKKI SULLIVAN, ESO.

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

8. **DECLARATION OF NONMILITARY STATUS** (Required for a judgment) No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. Appen. § 501 et seq.).

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

Date: FEBRUARY 28, 2002

MIKKI SULLIVAN, ESO.

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