

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SHARON BRIDGEWATER.

No. C-10-4966 MMC

**Plaintiff.**

**ORDER DISMISSING PLAINTIFF'S  
COMPLAINT; DENYING ALL PENDING  
MOTIONS; DIRECTIONS TO CLERK**

ROGER TONNA, et al.,

**Defendants.**

Before the Court is plaintiff Sharon Bridgewater's ("Bridgewater") Reply, filed March 17, 2011, in which Bridgewater responds to the Court's February 28, 2011 order directing Bridgewater, who proceeds pro se, to show cause why the federal claims alleged in her Complaint should not be dismissed for failure to state a claim upon which relief can be granted. Also before the Court is defendants Roger Tonna, Mary Tonna (collectively, "the Tonnas"), and William Gilg's ("Gilg") response thereto, filed March 25, 2011. Having read and considered the parties' respective submissions, the Court rules as follows.

### A. Plaintiff's Complaint

For the reasons stated in the Court's February 28, 2011 order, the First and Second Claims for Relief, by which Bridgewater alleges that defendants conspired, in violation of 42 U.S.C. § 1985(3), to deprive her of property without due process, are subject to dismissal, specifically, for the reason that Bridgewater fails to allege state action. Further,

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1 for the reasons stated in the Court's February 28, 2011 order, the Ninth Claim for Relief, by  
2 which Bridgewater alleges Gilg, an attorney, violated the Fair Debt Collection Practice Act  
3 ("FDCPA") by filing an unlawful detainer action on behalf of the Tonnas, is subject to  
4 dismissal, specifically, for the reason that Bridgewater fails to allege any facts to support a  
5 finding said defendant is a debt collector for purposes of the FDCPA.

6 In light of the dismissal of the federal claims, the Court declines to exercise  
7 jurisdiction over the remaining claims, each of which arises under state law. See 28 U.S.C.  
8 § 1367(a)(3).<sup>1</sup>

9 Accordingly, the Complaint, in its entirety, will be dismissed.

10 **B. Pending Motions Other Than Motion For Leave To Amend**

11 In light of the dismissal of the Complaint, defendants' motion to dismiss, filed  
12 November 27, 2010, will be denied as moot, and Bridgewater's motion for summary  
13 adjudication, filed January 7, 2011 and amended February 14, 2001, will be denied.

14 Further, Bridgewater's motion for a temporary restraining order, filed March 17,  
15 2011, and motion for a preliminary injunction, filed March 23, 2011, will be denied, for the  
16 reason that Bridgewater, in light of the dismissal of her Complaint, cannot establish she is  
17 likely to succeed on the merits of the claims. See Winter v. Natural Res. Def. Council, Inc.,  
18 129 S. Ct. 365, 374 (2008) (holding party seeking injunction "must establish," inter alia, he  
19 is "likely to succeed on the merits" of his claim).

20 **C. Motion For Leave to Amend**

21 Lastly, the Court considers Bridgewater's motion for leave to amend, filed January 7,  
22 2011, as amended January 24, 2011, February 14, 2011 and February 15, 2011.

23 Although a court "should freely give leave [to amend] when justice so requires," see  
24 Fed. R. Civ. P. 15(a)(2), leave is properly denied where the proposed claims would be  
25 subject to dismissal. See Moore v. Kayport Packaging Express, Inc., 885 F.2d 531, 538  
26 (9th Cir. 1989). Here, for the reasons stated below, the Court finds each federal claim in

27  
28 <sup>1</sup>The Court has jurisdiction over the above-titled action pursuant to 28 U.S.C.  
§ 1331; the parties are not diverse. (See Compl. ¶ 3.)

1 Bridgewater's proposed amended complaint is subject to dismissal.<sup>2</sup>

2 The proposed First Claim for Relief, titled "Civil Conspiracy," and the proposed Sixth  
3 Claim for Relief, titled "Conspiracy to Violate Civil Rights 42 U.S.C. § 1985(3)," are, in each  
4 instance, based on the allegation that defendants conspired to deprive Bridgewater of  
5 property without due process. For the reasons stated above with respect to the First and  
6 Seventh Claims for Relief as alleged in Bridgewater's initial Complaint, such proposed  
7 claims would be subject to dismissal. Further, any additional amendment of such claims  
8 would be futile. See Bloomer Shippers Ass'n v. Illinois Central Gulf R.R. Co., 655 F.2d  
9 772, 775-76 (7th Cir. 1981) (holding defendant's filings of unlawful detainer actions  
10 insufficient to constitute state action; noting "use of a courthouse is not state action").

11 The proposed Twelfth Claim for Relief, titled "Violation of the American[s] with  
12 Disabilities Act, Civil Rights Act, and the Fair Housing Act," is based on the allegation that  
13 the Tonnas instituted the unlawful detainer action against Bridgewater on account of  
14 animus based on Bridgewater's disability and/or race. To the extent said proposed claim is  
15 based on a violation of the Americans with Disabilities Act ("ADA"), the claim would be  
16 subject to dismissal without leave to amend because, although the ADA prohibits  
17 discrimination in a "place of public accommodation," see 42 U.S.C. § 12182(a), an  
18 apartment does not constitute a place of public accommodation for purposes of the ADA.  
19 See Independent Housing Servs. v. Fillmore Center Assocs., 840 F. Supp. 1328, 1344  
20 (N.D. Cal. 1993). To the extent said proposed claim is based on a violation of the Fair  
21 Housing Act ("FHA"), the claim would be subject to dismissal without leave to amend,  
22 because the claim could have been raised as a defense in the unlawful detainer  
23 proceeding, see, e.g., Colony Cove Assocs. v. Brown, 220 Cal. App. 3d 195, 197, 201-03

24  
25 <sup>2</sup>The Court's findings discussed below refer to Bridgewater's proposed First  
26 Amended Verified Complaint, submitted February 15, 2011. Bridgewater had previously  
27 submitted proposed amended complaints on January 7, 2011, January 24, 2011, and  
28 February 14, 2011. Although Bridgewater does not presently seek leave to file any of  
those earlier-submitted proposed pleadings, the Court has reviewed each such pleading to  
determine if it includes a cognizable federal claim, and finds therein no federal claim that  
would not be subject to dismissal for the reasons discussed below with respect to  
Bridgewater's February 15, 2011 submission.

1 (1990) (adjudicating, in context of unlawful detainer action filed by landlord, merits of  
2 tenants' defense that landlord sought to evict tenants on basis of tenants' membership in  
3 class protected by FHA), and, consequently, is now barred, see Olwell v. Hopkins, 28 Cal.  
4 2d 147, 152 (1946) (holding "final judgment on the merits" in prior action between same  
5 parties "operates as a bar" to any claim that "might have been raised in the first action").<sup>3</sup>

6 The remaining proposed federal claim, the proposed Thirteenth Claim for Relief,  
7 titled "Violation of the Federal Fair Debt Collection Practice Act," is based on the allegation  
8 that Gilg wrongfully instituted the unlawful detainer action on behalf of the Tonnas for  
9 purposes of the Tonnas' obtaining possession of the premises and recovering rent. Such  
10 proposed claim is subject to dismissal because Bridgewater fails to allege any facts to  
11 support a finding that Gilg is or was a "debt collector" for purposes of the FDCPA. See 15  
12 U.S.C. § 1692a(6). Although Bridgewater has repeatedly revised her motion for leave to  
13 amend to clarify the bases for her claims, Bridgewater has at no time therein indicated any  
14 facts she could allege to support a finding that Gilg could be considered a debt collector as  
15 defined in the FDCPA. Further, although the Court's February 28, 2011 order to show  
16 cause gave Bridgewater notice that the FDCPA claim in her initial Complaint was defective  
17 for failure to allege any facts to support a finding that Gilg is or was a debt collector,  
18 Bridgewater's reply thereto fails to identify any facts she could allege to support such a  
19 finding, but, rather, consists only of conclusory assertions. (See, e.g., Pl.'s Reply, filed  
20 March 17, 2011, at fourth unnumbered page ("Gilg was the 'debt collector' who use [sic]  
21 interstate commerce and/or mail for the principal purpose of which is the collection of  
22 Roger and/or Mary [sic] debts").) Such assertions are insufficient as a matter of law to  
23 state a FDCPA claim against Gilg, see Ashcroft v. Iqbal, 129 S. Ct. 1937, 1951 (2009)

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25 <sup>3</sup>Attached as Exhibit 6 to the Complaint is a copy of the judgment entered  
26 September 21, 2010 in the unlawful detainer action, which exhibit indicates such judgment  
27 was entered in favor of the Tonnas and against Bridgewater. (See Compl. Ex. 6.)  
28 Attached as Exhibit 2 to the proposed amended complaint submitted on January 7, 2011 is  
a copy of an "Abandonment of Appeal," filed by Bridgewater in state court on December  
21, 2010. (See Proposed First Amended Complaint, filed January 7, 2011, Ex. 2; see also  
id. at 6:24-26 ("The appeal has been abandoned by the plaintiff.").)

1 (holding "bare assertions . . . amount[ing] to nothing more than a 'formulaic recitation of the  
2 elements' of [a] claim" are insufficient to avoid dismissal); see, e.g., Brooks v. Citibank  
3 (South Dakota), N.A., 345 Fed. Appx. 260, 262 (9th Cir. 2009) (affirming dismissal of  
4 FDCPA claim, where plaintiff failed to allege facts to support conclusory allegation that  
5 defendant was "debt collector"), and there is nothing in the facts alleged as to Gilg's  
6 conduct to suggest Bridgewater could successfully plead Gilg's status as a debt collector.

7 Accordingly, because each of Bridgewater's proposed federal claims would be  
8 subject to dismissal, the motion for leave to amend will be denied.<sup>4</sup>

9 **CONCLUSION**

10 For the reasons stated above:

11 1. Bridgewater's complaint is hereby DISMISSED, as follows:

12 a. the First, Second, and Ninth Claims for Relief are DISMISSED without  
13 leave to amend; and

14 b. the remaining claims, each of which arises under state law, are  
15 DISMISSED without prejudice to Bridgewater's refiling said claims in state court.

16 2. Defendants' motion to dismiss is hereby DENIED as moot.

17 3. Bridgewater's motions for summary adjudication, for a temporary restraining  
18 order, for a preliminary injunction, and for leave to amend are hereby DENIED.

19 4. The Clerk shall close the file.

20 **IT IS SO ORDERED.**

21  
22 Dated: March 30, 2011

*Maxine M. Chesney*  
23 MAXINE M. CHESNEY  
24 United States District Judge  
25

26  
27 <sup>4</sup>As set forth above, in light of the dismissal of the federal claims, the Court will  
28 decline to exercise supplemental jurisdiction over the state law claims. Accordingly, the  
Court does not address whether the proposed state law claims would be subject to  
dismissal.

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ALAMEDA  
The foregoing instrument is a true and  
correct copy of the original  
on file in this office

ATTEST: NOV 19 2010

CLERK OF THE SUPERIOR COURT

By Carol Alvarado  
Deputy



			12/6/2010) (Entered: 12/06/2010)
<u>12</u>	Jan. 05, 2011	11	ORDER VACATING JANUARY 14, 2011 HEARING ON DEFENDANTS' MOTION TO DISMISS. Signed by Judge Maxine M. Chesney on January 5, 2011. (mmclc1, COURT STAFF) (Filed on 1/5/2011) (Entered: 01/05/2011)
<u>13</u>	Jan. 05, 2011		***Deadlines terminated. 11 Order. (aaa, COURT STAFF) (Filed on 1/5/2011) (Entered: 01/07/2011)
<u>14</u>	Jan. 07, 2011	12	NOTICE OF MOTION AND MOTION for Leave to File FIRST AMENDED COMPLAINT; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 2/18/2011 09:00 AM in Courtroom 7, 19th Floor, San Francisco before Hon. Maxine M. Chesney. (Attachments: # 1 [Proposed] 1st Amended Complaint, # 2 Proposed Order, # 3 [Proposed] Judgment)(aaa, COURT STAFF) (Filed on 1/7/2011) (Entered: 01/11/2011)
<u>15</u>	Jan. 07, 2011	13	Declaration of PLAINTIFF'S in Support of 12 MOTION for Leave to File FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Related document(s) 12 ) (aaa, COURT STAFF) (Filed on 1/7/2011) (Entered: 01/11/2011)
<u>16</u>	Jan. 07, 2011	14	STATEMENT IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION OF ISSUE by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 1/7/2011) (Entered: 01/11/2011)
<u>17</u>	Jan. 07, 2011	15	STATEMENT AND [PROPOSED] ORDER OF UNDISPUTED FACTS AND CONCLUSION OF LAW by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 1/7/2011) Modified on 1/12/2011 (aaa, COURT STAFF). (Entered: 01/11/2011)
<u>18</u>	Jan. 07, 2011	16	Declaration in Support of 15 STATEMENT OF UNDISPUTED FACTS AND CONCLUSION OF LAW filed by <b>Sharon Bridgewater</b> . (Related document(s) 15 ) (aaa, COURT STAFF) (Filed on 1/7/2011) (Entered: 01/11/2011)
<u>19</u>	Jan. 07, 2011	17	Request for Judicial Notice filed by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 1/7/2011) (Entered: 01/11/2011)
<u>20</u>	Jan. 10, 2011	18	NOTICE of Change of Address by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 1/10/2011) (Entered: 01/11/2011)
<u>21</u>	Jan. 12, 2011	19	CERTIFICATE OF SERVICE to new address re 11 Order (be, COURT STAFF) (Filed on 1/12/2011) (Entered: 01/12/2011)
<u>22</u>	Jan. 12, 2011	20	APPLICATION FOR EX-PARTE ORDER SHORTENING TIME TO HEAR 12 MOTION FOR LEAVE TO FILE AND AMEND FIRST AMENDED COMPLAINT AND MOTION FOR SUMMARY ADJUDICATION OF ISSUES; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 2/18/2011 09:00 AM in Courtroom 7, 19th Floor, San Francisco before Hon. Maxine M. Chesney. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 1/12/2011) (Entered: 01/13/2011)
<u>23</u>	Jan. 12, 2011	21	Ex Parte Application to Shorten Time for Hearing on re 12 MOTION for Leave to File and Amend First Amended Complaint and Motion for Summary Adjudication of Issues; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 1/12/2011) (Entered: 01/13/2011)

<u>24</u>	Jan. 12, 2011	22	EX PARTE MOTION for Temporary Restraining Order RE-PRELIMINARY AND PERMANENT INJUNCTION; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 2/18/2011 09:00 AM in Courtroom 7, 19th Floor, San Francisco before Hon. Maxine M. Chesney. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 1/12/2011) (Entered: 01/13/2011)
<u>25</u>	Jan. 12, 2011	23	Declaration of <b>SHARON BRIDGEWATER</b> filed by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 1/12/2011) (Entered: 01/13/2011)
<u>26</u>	Jan. 18, 2011	24	ORDER DENYING PLAINTIFF'S MOTION FOR ORDER SHORTENING TIME; DENYING PLAINTIFF'S APPLICATION FOR RESTRAINING ORDER. Signed by Judge Maxine M. Chesney on January 18, 2011. (mmclc1, COURT STAFF) (Filed on 1/18/2011) (Entered: 01/18/2011)
<u>27</u>	Jan. 24, 2011	25	AMENDED NOTICE OF MOTION WITH LEAVE TO AMEND FILE/FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 3/4/2011 09:00 AM before Hon. Maxine M. Chesney. (Attachments: # 1 [Proposed] 1st Amended Complaint, # 2 Proposed Order, # 3 Proposed Order)(aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>28</u>	Jan. 24, 2011	26	AMENDED DECLARATION OF PLAINTIFF'S in Support of 25 MOTION WITH LEAVE to Amend/Correct FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Related document(s) 25 ) (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>29</u>	Jan. 24, 2011	27	AMENDED APPLICATION FOR EX-PARTE ORDER SHORTENING TIME TO HEAR MOTION FOR LEAVE TO FILE AND AMEND FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order, # 2 Proposed Order, # 3 Proposed Order, # 4 Proposed Order)(aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>30</u>	Jan. 24, 2011	28	DECLARATION in Support of 27 EX PARTE MOTION to Shorten Time ON PLAINTIFF TO FILE FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Related document(s) 27 ) (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>31</u>	Jan. 24, 2011	29	AMENDED PLAINTIFF'S EX PARTE MOTION for Temporary Restraining Order RE-PRELININARY AND PERMANENT INJUNCTION filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 3/4/2011 09:00 AM before Hon. Maxine M. Chesney. (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>32</u>	Jan. 24, 2011	30	STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>33</u>	Jan. 24, 2011	31	NOTICE of need for ADR Phone Conference (ADR L.R. 3-5 d) by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>34</u>	Jan. 24, 2011	32	ADR Certification by Parties and Counsel (ADR L.R. 3-5 b) of

			discussion of ADR options by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>35</u>	Jan. 24, 2011	33	<b>CORRESPONDENCE BY SHARON BRIDGEWATER.</b> (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>36</u>	Jan. 24, 2011	34	CERTIFICATE OF SERVICE by Sharon Bridgewater re 28 Declaration in Support, 29 MOTION for Temporary Restraining Order, 26 Declaration in Support, 30 Stipulation, 25 MOTION to Amend/Correct, 27 MOTION to Shorten Time, 31 Notice of need of ADR Phone Conference (ADR L.R. 3-5 d), 32 ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options, 33 Letter (aaa, COURT STAFF) (Filed on 1/24/2011) (Entered: 01/25/2011)
<u>37</u>	Jan. 26, 2011	35	ADR Clerks Notice Setting ADR Phone Conference on 2/15/11 at 10:00 a.m. Pacific time. Please take note that at the appointed time, all parties shall call 213-289-0500 and use access code 3660413. (sgd, COURT STAFF) (Filed on 1/26/2011) (Entered: 01/26/2011)
<u>38</u>	Jan. 27, 2011	36	ORDER DENYING PLAINTIFF'S APPLICATION FOR AN ORDER SHORTENING TIME; DENYING PLAINTIFF'S APPLICATION FOR RESTRAINING ORDER. Signed by Judge Maxine M. Chesney on January 27, 2011. (mmclc1, COURT STAFF) (Filed on 1/27/2011) (Entered: 01/27/2011)
<u>39</u>	Jan. 28, 2011	37	Memorandum in Opposition re 12 MOTION for Leave to File First Amended Complaint filed by William Gilg, Mary Tonna, Roger Tonna. (Attachments: # 1 Supplement Request for Judicial Notice)(Gilg, William) (Filed on 1/28/2011) (Entered: 01/28/2011)
<u>40</u>	Jan. 28, 2011	38	CERTIFICATE OF SERVICE by William Gilg, Mary Tonna, Roger Tonna re 37 Memorandum in Opposition to Motion for Leave to File First Amended Complaint (Gilg, William) (Filed on 1/28/2011) (Entered: 01/28/2011)
<u>41</u>	Jan. 28, 2011	39	Memorandum in Opposition to Motion for Summary Judgment/Adjudication filed by William Gilg, Mary Tonna, Roger Tonna. (Attachments: # 1 Supplement Request for Judicial Notice)(Gilg, William) (Filed on 1/28/2011) (Entered: 01/28/2011)
<u>42</u>	Jan. 28, 2011	40	CERTIFICATE OF SERVICE by William Gilg, Mary Tonna, Roger Tonna re 39 Memorandum in Opposition to Motion for Summary Judgment/Adjudication (Gilg, William) (Filed on 1/28/2011) (Entered: 01/28/2011)
<u>43</u>	Feb. 08, 2011	41	NOTICE of Change of Address by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 2/8/2011) (Entered: 02/09/2011)
<u>44</u>	Feb. 10, 2011	42	ORDER CONTINUING HEARING ON PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; CONTINUING CASE MANAGEMENT CONFERENCE. The hearing on plaintiff's motion for summary adjudication/judgment is continued from February 18, 2011 to March 4, 2011. The Initial Case Management Conference is continued from February 18, 2011 to April 29, 2011, at 10:30 a.m.; a Joint Case Management

			Statement shall be filed no later than April 22, 2011. Signed by Judge Maxine M. Chesney on February 10, 2011. (mmclc1, COURT STAFF) (Filed on 2/10/2011) (Entered: 02/10/2011)
<u>45</u>	Feb. 14, 2011	43	AMENDED NOTICE OF MOTION AND MOTION WITH LEAVE TO AMEND FILE/FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 3/4/2011 09:00 AM before Hon. Maxine M. Chesney. (Attachments: # 1 [Proposed] 1st Amended Complaint, # 2 Proposed Order re 1st Amended Complaint)(aaa, COURT STAFF) (Filed on 2/14/2011) (Additional attachment(s) added on 2/15/2011: # 3 [Proposed] Judgment) (aaa, COURT STAFF). (Entered: 02/15/2011)
<u>46</u>	Feb. 14, 2011	44	Amended Declaration of Plaintiff's in Support of 43 MOTION for Leave to File FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Related document(s) 43 ) (aaa, COURT STAFF) (Filed on 2/14/2011) (Entered: 02/15/2011)
<u>47</u>	Feb. 14, 2011	45	AMENDED STATEMENT AND [PROPOSED] ORDER IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION OF ISSUE by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 2/14/2011) (Entered: 02/15/2011)
<u>48</u>	Feb. 14, 2011	46	AMENDED STATEMENT OF UNDISPUTED FACTS AND CONCLUSION OF LAW by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 2/14/2011) (Entered: 02/15/2011)
<u>49</u>	Feb. 14, 2011	47	Amended Declaration in Support of 46 Statement of Undisputed Facts and Conclusion of Law filed by <b>Sharon Bridgewater</b> . (Related document(s) 46 ) (aaa, COURT STAFF) (Filed on 2/14/2011) (Entered: 02/15/2011)
<u>50</u>	Feb. 14, 2011	48	MOTION to Appoint Counsel filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 3/25/2011 09:00 AM before Hon. Maxine M. Chesney. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 2/14/2011) (Entered: 02/15/2011)
<u>51</u>	Feb. 14, 2011	49	Request for Judicial Notice filed by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 2/14/2011) (Entered: 02/15/2011)
<u>52</u>	Feb. 15, 2011		ADR Remark: ADR Phone Conference held by GDB on 2/15/11. (sgd, COURT STAFF) (Filed on 2/15/2011) Modified on 2/15/2011 (sgd, COURT STAFF). (Entered: 02/15/2011)
<u>53</u>	Feb. 15, 2011	50	[PROPOSED] COMPLAINT FOR DAMAGES FILED ON FEB. 14, 2011 IN ERROR THIS IS THE CORRECT COMPLAINT FILED TODAY ON FEB 15, 2011 by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 2/15/2011) (Entered: 02/16/2011)
<u>54</u>	Feb. 15, 2011	51	CERTIFICATE OF SERVICE by <b>Sharon Bridgewater</b> re 50 [Proposed] Complaint (aaa, COURT STAFF) (Filed on 2/15/2011) (Entered: 02/16/2011)
<u>55</u>	Feb. 18, 2011	52	ORDER CONTINUING HEARING ON PLAINTIFF'S MOTION FOR SUMMARY ADJUDICATION AND MOTION FOR LEAVE TO AMEND; DIRECTIONS TO PLAINTIFF. The hearing on plaintiffs' amended motion for summary adjudication and amended motion for leave to amend is continued from March

4, 2011 to March 25, 2011. Defendants' response(s) to plaintiffs' motions shall be filed no later than March 4, 2011. Plaintiff's reply to defendants' response(s) shall be filed no later than March 11, 2011. Plaintiff is directed not to file any further amendment to either her motion for summary adjudication or her motion for leave to amend unless plaintiff first seeks and obtains leave of court to file an amended motion. Signed by Judge Maxine M. Chesney on February 18, 2011. (mmclc1, COURT STAFF) (Filed on 2/18/2011) (Additional attachment(s) added on 2/22/2011: # 1 cos) (sis, COURT STAFF). (Entered: 02/18/2011)

<u>56</u>	Feb. 18, 2011		Set/Reset Deadlines as to 43 MOTION for Leave to File, 25 MOTION to Amend/Correct, 12 MOTION for Leave to File. Motion Hearing Continued for 3/25/2011 09:00 AM before Hon. Maxine M. Chesney. Re 52 Order (aaa, COURT STAFF) (Filed on 2/18/2011) (Entered: 02/22/2011)
<u>57</u>	Feb. 22, 2011	53	ORDER DENYING PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL. Signed by Judge Maxine M. Chesney on February 22, 2011. (mmclc1, COURT STAFF) (Filed on 2/22/2011) (Entered: 02/22/2011)
<u>58</u>	Feb. 22, 2011	54	Mail sent to <b>Sharon Bridgewater</b> returned as undeliverable re 42 Order. (aaa, COURT STAFF) (Filed on 2/22/2011) (Entered: 02/23/2011)
<u>59</u>	Feb. 25, 2011	55	Letter dated 02/25/11: from <b>Sharon Bridgewater</b> re Response to 54 Undeliverable Mail. (aaa, COURT STAFF) (Filed on 2/25/2011) (Entered: 02/28/2011)
<u>60</u>	Feb. 28, 2011	56	ORDER DIRECTING PLAINTIFF TO SHOW CAUSE WHY HER FEDERAL CLAIMS SHOULD NOT BE DISMISSED FOR FAILURE TO STATE A CLAIM; CONTINUING HEARING ON PLAINTIFF'S MOTION FOR LEAVE TO AMEND AND MOTION FOR SUMMARY ADJUDICATION. Bridgewater is ordered to show cause, no later than March 18, 2011, why her federal claims should not be dismissed. Defendants shall file any reply to Bridgewater's response no later than March 25, 2011. The hearing on Bridgewater's motion for leave to amend and her motion for summary adjudication is continued from March 25, 2011 to April 29, 2011, at 9:00 a.m. Signed by Judge Maxine M. Chesney on February 28, 2011. (mmclc1, COURT STAFF) (Filed on 2/28/2011) (Additional attachment(s) added on 3/3/2011: # 1 Appendix Certificate of Service) (tl, COURT STAFF). (Entered: 02/28/2011)
<u>61</u>	Feb. 28, 2011		Set/Reset Deadlines as to 43 MOTION for Leave to File, 25 MOTION to Amend/Correct, 12 MOTION for Leave to File. Motion Hearing Contiuued for 4/29/2011 09:00 AM before Hon. Maxine M. Chesney. Re 56 Order (aaa, COURT STAFF) (Filed on 2/28/2011) (Entered: 03/01/2011)
<u>62</u>	Mar. 01, 2011	57	NOTICE of Change of Address by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 3/1/2011) (Entered: 03/02/2011)
<u>63</u>	Mar. 17, 2011	58	NOTICE OF MOTION AND MOTION for Temporary Restraining Order, MOTION for Order to Show Cause RE

**PRELIMINARY INJUNCTION filed by **Sharon Bridgewater**.**  
 Motion Hearing set for 4/29/2011 09:30 AM before Hon. Maxine M. Chesney. (aaa, COURT STAFF) (Filed on 3/17/2011) (Entered: 03/18/2011)

<u>64</u>	Mar. 17, 2011	59	Declaration in Support of 58 MOTION for Temporary Restraining Order MOTION for Order to Show Cause filed bySharon Bridgewater. (Related document(s) 58 ) (aaa, COURT STAFF) (Filed on 3/17/2011) (Entered: 03/18/2011)
<u>65</u>	Mar. 17, 2011	60	REPLY AND DECLARATION (re 58 MOTION for Temporary Restraining Order MOTION for Order to Show Cause ) filed bySharon Bridgewater. (aaa, COURT STAFF) (Filed on 3/17/2011) (Entered: 03/18/2011)
<u>66</u>	Mar. 23, 2011	61	AMENDED MOTION FOR PRELIMINARY INJUNCTION filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 4/29/2011 09:30 AM before Hon. Maxine M. Chesney. (aaa, COURT STAFF) (Filed on 3/23/2011) (Entered: 03/24/2011)
<u>67</u>	Mar. 23, 2011	62	Amended Declaration in Support of 61 AMENDED MOTION FOR PRELIMINARY INJUNCTION filed bySharon Bridgewater. (Related document(s) 61 ) (aaa, COURT STAFF) (Filed on 3/23/2011) (Entered: 03/24/2011)
<u>68</u>	Mar. 25, 2011	63	REPLY (re 61 MOTION to Amend/Correct, 58 MOTION for Temporary Restraining Order MOTION for Order to Show Cause ) filed byWilliam Gilg, Mary Tonna, Roger Tonna. (Gilg, William) (Filed on 3/25/2011) (Entered: 03/25/2011)
<u>69</u>	Mar. 30, 2011	64	ORDER DISMISSING PLAINTIFF'S COMPLAINT; DENYING ALL PENDING MOTIONS; DIRECTIONS TO CLERK. Bridgewater's complaint is dismissed, as follows: (a) the First, Second, and Ninth Claims for Relief are dismissed without leave to amend; and (b) the remaining claims, each of which arises under state law, are dismissed without prejudice to Bridgewater's refiling said claims in state court. Defendants' motion to dismiss is denied as moot. Bridgewater's motions for summary adjudication, for a temporary restraining order, for a preliminary injunction, and for leave to amend are denied. The Clerk shall close the file.Signed by Judge Maxine M. Chesney on March 30, 2011. (mmclc1, COURT STAFF) (Filed on 3/30/2011) (Additional attachment(s) added on 3/30/2011: # 1 Certificate of Service) (tlS, COURT STAFF). (Entered: 03/30/2011)
<u>70</u>	Mar. 30, 2011	65	CLERK'S JUDGMENT: 1. Bridgewaters complaint is hereby DISMISSED, as follows:a. the First, Second, and Ninth Claims for Relief are DISMISSED without leave to amend; andb. the remaining claims, each of which arises under state law, are DISMISSED without prejudice to Bridgewaters refiling said claims in state court.2. Defendants motion to dismiss is hereby DENIED as moot.3. Bridgewaters motions for summary adjudication, for a temporary restraining order, for a preliminary injunction, and for leave to amend are hereby DENIED. (Attachments: # 1 Certificate of Service) (tlS, COURT STAFF) (Filed on 3/30/2011) (Entered: 03/30/2011)

71	Apr. 27, 2011	66	EX PARTE MOTION for Temporary Restraining Order WITH APPOINTMENT OF TEMPORARY RECEIVER EXPEDITED DISCOVERY AND OTHER EQUITABLE RELIEF, MOTION for Order to Show Cause RE PRELIMINARY INJUNCTION AND PERMANENT RECEIVER; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 [Proposed] TRO)(aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
72	Apr. 27, 2011	67	Declaration in Support of 66 MOTION for Temporary Restraining Order MOTION for Order to Show Cause filed by <b>Sharon Bridgewater</b> . (Related document(s) 66 ) (aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
73	Apr. 27, 2011	68	MOTION for Reconsideration, VACATE JUDGMENT OF DISMISSAL, ALTER AND AMEND JUDGMENT filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
74	Apr. 27, 2011	69	Declaration in Support of 68 MOTION for Reconsideration filed by <b>Sharon Bridgewater</b> . (Related document(s) 68 ) (aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
75	Apr. 27, 2011	70	EX PARTE MOTION to Shorten Time FOR MOTION TO RECONSIDER ALTER/AMEND AND VACATE JUDGMENT; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order Shorten Time, # 2 Proposed Order Alter Judgment)(aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
76	Apr. 27, 2011	71	Declaration in Support of 70 MOTION to Shorten Time filed by <b>Sharon Bridgewater</b> . (Related document(s) 70 ) (aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
77	Apr. 27, 2011	72	Declaration in Support of 70 MOTION to Shorten Time filed by <b>Sharon Bridgewater</b> . (Related document(s) 70 ) (aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
78	Apr. 27, 2011	73	MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order, # 2 [Proposed] Amended Complaint)(aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
79	Apr. 27, 2011	74	Declaration of PLAINTIFF in Support of 73 MOTION to Amend First Amended Complaint filed by <b>Sharon Bridgewater</b> . (Related document(s) 73 ) (aaa, COURT STAFF) (Filed on 4/27/2011) (Entered: 04/27/2011)
80	Apr. 28, 2011	75	ORDER DENYING PLAINTIFF'S MOTIONS TO RECONSIDER AND FOR LEAVE TO FILE AMENDED COMPLAINT; DENYING APPLICATIONS FOR TEMPORARY RESTRAINING ORDER AND TO SHORTEN TIME. Signed by Judge Maxine M. Chesney on April 28, 2011. (mmclc1, COURT STAFF) (Filed on 4/28/2011) (Entered: 04/28/2011)
81	June 27, 2011	76	Declaration of <b>Sharon Bridgewater</b> in Support of Order Shortening Time on Plaintiff's Motion to Amend Complaint, filed by <b>Sharon Bridgewater</b> . (jlm, COURT STAFF) (Filed on 6/27/2011) (Entered: 06/28/2011)
82	Aug. 11, 2011	77	EX PARTE APPLICATION TEMPORARY RESTRAINING

			ORDER WITH ASSET FREEZE, APPOINTMENT OF TEMPORARY RECEIVER EXPEDITED DISCOVERY AND OTHER EQUITABLE RELIEF ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND PERMANENT RECEIVER; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
83	Aug. 11, 2011	78	Declaration in Support of 77 MOTION for Temporary Restraining Order filed bySharon Bridgewater. (Related document(s) 77 ) (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
84	Aug. 11, 2011	79	Ex Parte MOTION to Vacate 64 Order Dismissing Case, 65 Clerk's Judgment,, filed by <b>Sharon Bridgewater</b> . Responses due by 8/25/2011. Replies due by 9/1/2011. (aaa, COURT STAFF) (Filed on 8/11/2011) (Additional attachment(s) added on 8/12/2011: # 1 Proposed Order) (aaa, COURT STAFF). (Entered: 08/12/2011)
85	Aug. 11, 2011	80	Declaration in Support of 79 MOTION to Vacate 64 Order Dismissing Case, 65 Clerk's Judgment, filed bySharon Bridgewater. (Related document(s) 79 ) (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
86	Aug. 11, 2011	81	MOTION for Leave to File An Amended Complaint filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
87	Aug. 11, 2011	82	Declaration in Support of 81 MOTION for Leave to File an Amended Complaint filed bySharon Bridgewater. (Related document(s) 81 ) (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
88	Aug. 11, 2011	83	EX PARTE MOTION to Quash SERVICE OF SUMMONS TO THE DEFENDANTS AND QUASH THE ORIGINAL COMPLAINT FILED ON NOV.1,2010; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 9/16/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 8/25/2011. Replies due by 9/1/2011. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
89	Aug. 11, 2011	84	Declaration in Support of 83 MOTION to Quash filed bySharon Bridgewater. (Related document(s) 83 ) (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
90	Aug. 11, 2011		Set/Reset Deadlines as to 79 MOTION to Vacate 64 Order Dismissing Case,,, 65 Clerk's Judgment,, MOTION to Vacate 64 Order Dismissing Case,,, 65 Clerk's Judgment,,, 81 MOTION for Leave to File. Motion Hearing set for 9/16/2011 09:00 AM before Hon. Maxine M. Chesney. Re 79 & 81 Motions (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
91	Aug. 11, 2011	85	MOTION TO FILE UNDER SEAL AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
92	Aug. 11, 2011	86	Declaration in Support of 85 MOTION TO FILE UNDER SEAL AMENDED COMPLAINT filed bySharon Bridgewater. (Related

			document(s) 85 ) (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
93	Aug. 11, 2011	87	EX PARTE MOTION FOR SUMMARY ADJUDICATION OF FACTS filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 9/16/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 8/25/2011. Replies due by 9/1/2011. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
94	Aug. 11, 2011	88	Declaration in Support of 87 MOTION FOR SUMMARY ADJUDICATION filed by <b>Sharon Bridgewater</b> . (Related document(s) 87 ) (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
95	Aug. 11, 2011	89	EX PARTE MOTION to Shorten Time filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order, # 2 Proposed Order)(aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
96	Aug. 11, 2011	90	STATEMENT OF UNDISPUTED FACTS AND CONCLUSION OF LAW by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
97	Aug. 11, 2011	91	AMENDED CERTIFICATE OF SERVICE by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 8/11/2011) (Entered: 08/12/2011)
98	Aug. 12, 2011	92	ORDER DENYING PLAINTIFF'S MOTIONS TO VACATE JUDGMENT, FOR LEAVE TO FILE AMENDED COMPLAINT, TO FILE UNDER SEAL, TO QUASH SERVICE, AND FOR SUMMARY ADJUDICATION; DENYING APPLICATIONS FOR TEMPORARY RESTRAINING ORDER AND TO SHORTEN TIME. Signed by Judge Maxine M. Chesney on August 12, 2011. (mmclc1, COURT STAFF) (Filed on 8/12/2011) (Additional attachment(s) added on 8/12/2011: # 1 Certificate of Service) (tlS, COURT STAFF). (Entered: 08/12/2011)
99	Sept. 19, 2011	93	EX PARTE APPLICATION APPOINTMENT OF TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND PERMANENT RECEIVER; filed by <b>Sharon Bridgewater</b> . Responses due by 10/3/2011. Replies due by 10/11/2011. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
100	Sept. 19, 2011	94	EX PARTE Declaration in Support of 93 EX PARTE APPLICATION TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, APPOINTMENT OF TEMPORARY RECEIVER EXPEDITED DISCOVERY AND OTHER EQUITABLE RELIEF AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION AND PERMANET RECEIVER; filed by <b>Sharon Bridgewater</b> . (Related document(s) 93 ) (aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
101	Sept. 19, 2011	95	EX PARTE MOTION AND MOTION FOR SUMMARY

ADJUDICITION OF ISSUES filed by **Sharon Bridgewater**. Motion Hearing set for 10/29/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 10/3/2011. Replies due by 10/11/2011. (Attachments: # 1 Proposed Order, # 2 Proposed Order Partial Judgment)(aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)

102	Sept. 19, 2011	96	EX PARTE MOTION to Vacate JUDGMENT OF DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 60 (B)(1)(2); filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 10/29/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 10/3/2011. Replies due by 10/11/2011. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
103	Sept. 19, 2011	97	Declaration in Support of 96 MOTION to Vacate DISMISSAL filed by <b>Sharon Bridgewater</b> . (Related document(s) 96 ) (aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
104	Sept. 19, 2011	98	EX PARTE MOTION for Leave to File AND AMEND ORIGINAL COMPLAINT; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order, # 2 [Proposed] Amended Complaint)(aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
105	Sept. 19, 2011	99	Declaration in Support of 98 EX PARTE MOTION for Leave to File AND AMEND ORIGINAL COMPLAINT ; filed by <b>Sharon Bridgewater</b> . (Related document(s) 98 ) (aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
106	Sept. 19, 2011	100	EX PARTE MOTION to Shorten Time ON PLAINTIFF 98 MOTION TO WITH LEAVE TO AMEND ORIGINAL COMPLAINT AND 95 MOTION FOR SUMMARY ADJUDICATION, AND 96 MOTION TO VACATE JUDGMENT OF DISMISSAL; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
107	Sept. 19, 2011	101	Declaration in Support of 100 EX PARTE MOTION to Shorten Time TO HEAR PLAINTIFF MOTION TO WITH LEAVE TO AMEND ORIGINAL COMPLAINT AND MOTION FOR SUMMARY ADJUDICATION, AND MOTION TO VACATE JUDGMENT OF DISMISSAL; filed by <b>Sharon Bridgewater</b> . (Related document(s) 100 ) (aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
108	Sept. 19, 2011	102	DECLARATION IN SUPPORT STATEMENT OF UNDISPUTED FACTS AND CONCLUSION OF LAW; filed by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 9/19/2011) (Entered: 09/20/2011)
109	Sept. 21, 2011	103	ORDER DENYING PLAINTIFF'S MOTIONS TO VACATE JUDGMENT, FOR LEAVE TO FILE AMENDED COMPLAINT, FOR SUMMARY ADJUDICATION AND TO SHORTEN TIME; DENYING APPLICATION FOR TEMPORARY RESTRAINING ORDER. Signed by Judge Maxine M. Chesney on September 21, 2011. (mmclc1, COURT

			STAFF) (Filed on 9/21/2011) (Additional attachment(s) added on 9/21/2011: # 1 Certificate of Service) (tIS, COURT STAFF). (Entered: 09/21/2011)
110	Sept. 21, 2011	104	CERTIFICATE OF SERVICE re docket number(s) 93 - 102 by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 9/21/2011) (Entered: 09/22/2011)
111	Oct. 12, 2011	105	EX PARTE APPLICATION TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, APPOINTMENT OF TEMPORARY RECEIVER EXPEDITED DISCOVERY AND OTHER EQUITABLE RELIEF RE PRELIMINARY INJUNCTION AND PERMANENT RECEIVER; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
112	Oct. 12, 2011	106	EX PARTE Declaration in Support of 105 APPLICATION TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, APPOINTMENT OF TEMPORARY RECEIVER EXPEDITED DISCOVERY AND OTHER EQUITABLE RELIEF AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION AND PERMANENT RECEIVER; filed by <b>Sharon Bridgewater</b> . (Related document(s) 105 ) (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
113	Oct. 12, 2011	107	EX PARTE MOTION FOR SUMMARY ADJUDICATION OF ISSUES; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 11/18/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 10/26/2011. Replies due by 11/2/2011. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
114	Oct. 12, 2011	108	EX PARTE MOTION RELIEF FROM JUDGMENT(S) UNDER FEDERAL RULE OF CIVIL PROCEDURE 60(B)(1)(2) and (4); filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 11/18/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 10/26/2011. Replies due by 11/2/2011. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
115	Oct. 12, 2011	109	EX PARTE Declaration in Support of 108 MOTION RELIEF FROM JUDGMENT(S) filed by <b>Sharon Bridgewater</b> . (Related document(s) 108 ) (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
116	Oct. 12, 2011	110	SEE DOCKET NUMBER 120 EX PARTE MOTION WITH LEAVE TO FILE A FIRST AMENDED COMPLAINT; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 11/18/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 10/26/2011. Replies due by 11/2/2011. (Attachments: # 1 Proposed Order, # 2 [Proposed] Amended Complaint)(aaa, COURT STAFF) (Filed on 10/12/2011) Modified on 10/13/2011 (aaa, COURT STAFF). (Entered: 10/13/2011)
117	Oct. 12, 2011	111	Declaration in Support of 110 MOTION TO FILE A FIRST AMENDED COMPLAINT; filed by <b>Sharon Bridgewater</b> . (Related

			document(s) 110 ) (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>118</u>	Oct. 12, 2011	112	EX PARTE APPLICATION FOR ORDER SHORTENING TIME ON PLAINTIFF'S 108 MOTION #1 EX PARTE MOTION TO VACATE JUDGMENT PURSUANT TO F.R.C.P. 60(b) 110 MOTION #2 EX PARTE MOTION WITH LEAVE TO FILE A FIRST AMENDED COMPLAINT 105 MOTION #3 EX PARTE MOTION FOR APPOINTMENT OF TEMPORARY RECEIVER OSC PERMANENT RECEIVER 107 MOTION #4 MOTION FOR SUMMARY ADJUDICATION OF ISSUE; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 10/12/2011) (Additional attachment(s) added on 10/13/2011: # 2 Proposed Order) (aaa, COURT STAFF). (Entered: 10/13/2011)
<u>119</u>	Oct. 12, 2011	113	DECLARATION IN SUPPORT OF THE PLANTIFF'S 112 EX PARTE APPLICATION FOR ORDER SHORTENING TIME TO HEAR; filed bySharon Bridgewater. (Related document(s) 112 ) (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>120</u>	Oct. 12, 2011	114	EX PARTE DECLARATION FOR 112 MOTION to Shorten Time filed bySharon Bridgewater. (Related document(s) 112 ) (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>121</u>	Oct. 12, 2011	115	EX PARTE MOTION to Reopen Case; filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>122</u>	Oct. 12, 2011	116	EX PARTE Declaration in Support of 115 MOTION to Reopen Case filed bySharon Bridgewater. (Related document(s) 115 ) (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>123</u>	Oct. 12, 2011	117	STATEMENT AND [PROPOSED] ORDER OF UNDISPUTED FACTS AND CONCLUSION OF LAW; by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>124</u>	Oct. 12, 2011	118	Request for Judicial Notice; filed bySharon Bridgewater. (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>125</u>	Oct. 12, 2011	119	[PROPOSED] PARTIAL JUDGMENT; by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 10/12/2011) (Entered: 10/13/2011)
<u>126</u>	Oct. 13, 2011	120	AMENDED EX PARTE MOTION WITH LEAVE TO FILE A FIRST AMENDED COMPLAINT RE 110 MOTION TO AMEND COMPLAINT; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 11/18/2011 09:00 AM before Hon. Maxine M. Chesney. Responses due by 10/27/2011. Replies due by 11/3/2011. (Attachments: # 1 Proposed Order, # 2 [Proposed] Amended Complaint)(aaa, COURT STAFF) (Filed on 10/13/2011) (Entered: 10/13/2011)
<u>127</u>	Oct. 13, 2011	121	Declaration of PLAINTIFF in Support of 120 AMENDED MOTION to Amend 110 MOTION to Amend/Correct MOTION

			to Amend/Correct 110 MOTION to Amend/Correct filed by Sharon Bridgewater. (Related document(s) 120 ) (aaa, COURT STAFF) (Filed on 10/13/2011) (Entered: 10/13/2011)
128	Oct. 17, 2011	122	CERTIFICATE OF SERVICE by <b>Sharon Bridgewater</b> re 108 MOTION to Set Aside Judgment, 113 Declaration in Support, 106 Declaration in Support, 109 Declaration in Support, 107 MOTION, 105 MOTION for Temporary Restraining Order, 115 MOTION to Reopen Case, 120 MOTION to Amend/Correct 110 MOTION to Amend/Correct MOTION to Amend/Correct 110 MOTION to Amend/Correct (aaa, COURT STAFF) (Filed on 10/17/2011) (Entered: 10/19/2011)
129	Oct. 24, 2011	123	ORDER DENYING PLAINTIFF'S MOTIONS FOR RELIEF FROM JUDGMENT, TO RE-OPEN CASE, FOR LEAVE TO FILE AMENDED COMPLAINT, AND FOR SUMMARY ADJUDICATION; DENYING APPLICATIONS FOR TEMPORARY RESTRAINING ORDER AND TO SHORTEN TIME. Signed by Judge Maxine M. Chesney on October 24, 2011. (mmclc1, COURT STAFF) (Filed on 10/24/2011) (Additional attachment(s) added on 10/24/2011: # 1 Certificate of Service) (tlS, COURT STAFF). (Entered: 10/24/2011)
130	Nov. 01, 2011	124	NOTICE OF RELATED CASE; by <b>Sharon Bridgewater</b> (aaa, COURT STAFF) (Filed on 11/1/2011) (Entered: 11/03/2011)
131	Nov. 15, 2011	125	MOTION to Relate Case filed by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 11/15/2011) (Entered: 11/16/2011)
132	Nov. 21, 2011	126	RELATED CASE ORDER. Bridgewater v. Tonna, C 10-4966, is related to Bridgewater v. Tonna, C 11-5407. Signed by Judge Maxine M. Chesney on November 21, 2011. (mmclc1, COURT STAFF) (Filed on 11/21/2011) (Additional attachment(s) added on 11/28/2011: # 1 Certificate of service) (lmh, COURT STAFF). (Entered: 11/21/2011)
133	Dec. 14, 2011	127	MOTION to Vacate 64 ORDER OF DISMISSAL/RELIEF FROM 65 JUDGMENT; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 1/20/2012 09:00 AM before Hon. Maxine M. Chesney. Responses due by 12/28/2011. Replies due by 1/4/2012. (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
134	Dec. 14, 2011	128	Declaration of PLAINTIFF in Support of 127 MOTION to Vacate filed by Sharon Bridgewater. (Related document(s) 127 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
135	Dec. 14, 2011	129	MOTION to Reopen Case filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
136	Dec. 14, 2011	130	Declaration of Plaintiff in Support of 129 MOTION to Reopen Case filed by Sharon Bridgewater. (Related document(s) 129 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
137	Dec. 14, 2011	131	MOTION to Appoint Temporary Receiver filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 1/20/2012 09:00 AM before Hon. Maxine M. Chesney. Responses due by 12/28/2011. Replies

			due by 1/4/2012. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
138	Dec. 14, 2011	132	MEMORANDUM and Points in Support re 131 MOTION to Appoint Temporary Receiver filed bySharon Bridgewater. (Related document(s) 131 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
139	Dec. 14, 2011	133	Declaration in Support of 131 MOTION to Appoint Temporary Receiver filed bySharon Bridgewater. (Related document(s) 131 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
140	Dec. 14, 2011	134	MOTION for Leave to File A FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Order, # 2 Proposed Amended Complaint)(aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
141	Dec. 14, 2011	135	Declaration of PLAINTIFF in Support of 134 MOTION for Leave to File A FIRST AMENDED COMPLAINT; filed bySharon Bridgewater. (Related document(s) 134 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
142	Dec. 14, 2011	136	NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION; filed by <b>Sharon Bridgewater</b> . Motion Hearing set for 1/20/2012 09:00 AM before Hon. Maxine M. Chesney. Responses due by 12/28/2011. Replies due by 1/4/2012. (Attachments: # 1 Proposed Order)(aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
143	Dec. 14, 2011	137	MEMORANDUM OF POINTS in Support re 136 MOTION FOR SUMMARY ADJUDICATION; filed bySharon Bridgewater. (Related document(s) 136 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
144	Dec. 14, 2011	138	STATEMENT OF UNCONVERTED FACTS AND CONCLUSION OF LAW; by <b>Sharon Bridgewater</b> . (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
145	Dec. 14, 2011	139	Declaration of PLAINTIFF in Support of 138 Statement of Undisputed Facts and Conclusion of Law, 136 MOTION FOR SUMMARY ADJUDICATION; filed bySharon Bridgewater. (Related document(s) 138 , 136 ) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
146	Dec. 14, 2011	140	Received Document: [PROPOSED] PARTIAL JUDGMENT; by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Judgment) (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
147	Dec. 14, 2011	141	Request for Judicial Notice filed bySharon Bridgewater. (aaa, COURT STAFF) (Filed on 12/14/2011) (Entered: 12/15/2011)
148	Dec. 16, 2011	143	AMENDED MOTION for Leave to File A FIRST AMENDED COMPLAINT filed by <b>Sharon Bridgewater</b> . (Attachments: # 1 Proposed Amended Complaint, # 2 Proposed Order)(aaa, COURT STAFF) (Filed on 12/16/2011) (Entered: 12/19/2011)
149	Dec. 16, 2011	144	Declaration of PLAINTIFF in Support of 143 AMENDED MOTION for Leave to File A FIRST AMENDED COMPLAINT filed bySharon Bridgewater. (Related document(s) 143 ) (aaa,

## INFORMATION AFTER JUDGMENT

## INFORMACION DESPUES DEL FALLO DE LA CORTE

Your small claims case has been decided. The judgment or decision of the court appears on the front of this sheet. The Court may have ordered one party to pay money to the other party. The person (or business) who won the case and who can collect the money is called the judgment creditor. The person (or business) who lost the case and who owes the money is called the judgment debtor. Enforcement of the judgment is postponed until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally, both parties may be represented by lawyers after judgment.

## IF YOU LOST THE CASE . . .

- If you lost the case on your own claim and the court did not award you any money, the court's decision on your claim is FINAL. You may not appeal your own claim.
- If you lost the case and the court ordered you to pay money, your money and property may be taken to pay the claim unless you do one of the following things:

## a) PAY THE JUDGMENT

The law requires you to pay the amount of the judgment. You may pay the judgment creditor directly, or pay the judgment to the court for an additional fee. You may also ask the court to order monthly payments you can afford. Ask the clerk for information about these procedures.

## b) APPEAL

If you disagree with the court's decision, you may appeal the decision on the other party's claim. You may not appeal the decision on your own claim. However, if any party appeals, there will be a new trial on all the claims. If you appeared at the trial, you must begin your appeal by filing a form called a *Notice of Appeal* (form SC-140) and pay the required fees within 30 days after the date this *Notice of Entry of Judgment* was mailed or handed to you. Your appeal will be in the superior court. You will have a new trial and you must present your evidence again. You may be represented by a lawyer.

## c) VACATE OR CANCEL THE JUDGMENT

If you did not go to the trial, you may ask the court to vacate or cancel the judgment. To make this request, you must file a *Motion to Vacate the Judgment* (form SC-135) and pay the required fee within 30 days after the date this *Notice of Entry of Judgment* was mailed. If your request is denied, you then have 10 days from the date the notice of denial was mailed to file an appeal. The period to file the *Motion to Vacate the Judgment* is 180 days if you were not properly served with the claim. The 180-day period begins on the date you found out or should have found out about the judgment against you.

## IF YOU WON THE CASE . . .

- If you were sued by the other party and you won the case, then the other party may not appeal the court's decision.
- If you won the case and the court awarded you money, here are some steps you may take to collect your money or get possession of your property:

## a) COLLECTING FEES AND INTEREST

Sometimes fees are charged for filing court papers or for serving the judgment debtor. These extra costs can become part of your original judgment. To claim these fees, ask the clerk for a *Memorandum of Costs*.

## b) VOLUNTARY PAYMENT

Ask the judgment debtor to pay the money. If your claim was for possession of property, ask the judgment debtor to return the property to you. THE COURT WILL NOT COLLECT THE MONEY OR ENFORCE THE JUDGMENT FOR YOU.

## c) STATEMENT OF ASSETS

If the judgment debtor does not pay the money, the law requires the debtor to fill out a form called the *Judgment Debtor's Statement of Assets* (form SC-133). This form will tell you what property the judgment debtor has that may be available to pay your claim. If the judgment debtor willfully fails to send you the completed form, you may file an *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134) and ask the court to give you your attorney's fees and expenses, and other appropriate relief, after proper notice, under Code of Civil Procedure section 708.170.

## d) ORDER OF EXAMINATION

You may also make the debtor come to court to answer questions about income and property. To do this, ask the clerk for an *Application and Order for Appearance and Examination (Enforcement of Judgment)* (form EJ-125) and pay the required fee. There is a fee if a law officer serves the order on the judgment debtor. You may also obtain the judgment debtor's financial records. Ask the clerk for the *Small Claims Subpoena and Declaration* (form SC-107) or *Civil Subpoena Duces Tacom* (form SUBP-002).

## e) WRIT OF EXECUTION

After you find out about the judgment debtor's property, you may ask the court for a *Writ of Execution* (form EJ-130) and pay the required fee. A writ of execution is a court paper that tells a law officer to take property of the judgment debtor to pay your claim. Here are some examples of the kinds of property the officer may be able to take: wages, bank account, automobile, business property, or rental income. For some kinds of property, you may need to file other forms. See the law officer for information.

## f) ABSTRACT OF JUDGMENT

The judgment debtor may own land or a house or other buildings. You may want to put a lien on the property so that you will be paid if the property is sold. You can get a lien by filing an *Abstract of Judgment* (form EJ-001) with the county recorder in the county where the property is located. The recorder will charge a fee for the *Abstract of Judgment*.

**NOTICE TO THE PARTY WHO WON:** As soon as you have been paid in full, you must fill out the form below and mail it to the court immediately or you may be fined. If an *Abstract of Judgment* has been recorded, you must use another form; see the clerk for the proper form.

## CASE TITLE AND SMALL CLAIMS CASE NO. MUST BE FILLED OUT.

CASE TITLE Bridgewater VS. Tonna SMALL CLAIMS CASE NO.: HS10520747

ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT  
(Do not use this form if an Abstract of Judgment has been recorded)

To the Clerk of the Court,

I am the  judgment creditor  assignee of record.

I agree that the judgment in this action has been paid in full or otherwise satisfied.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

**EX-PARTE APPLICATION  
TEMPORARY RESTRAINING ORDER WITH ASSET FREEZE, APPOINTMENT OF  
TEMPORARY RECEIVER EXPEDITED DISCOVERY AND OTHER EQUITABLE  
RELIEF AND ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND  
PERMANENT RECEIVER**

The Plaintiff, Sharon Bridgewater hereby moves pursuant to Rule 66 of the Federal Rules of Civil Procedure, On an ex parte basis, because if the defendants are "tipped off" of this motion they would immediately move, transfer assets, "WHAT'S LEFT" as they have done in the past.

## 1. Introduction

When and during the pendency of an action, it shall appear, by affidavit or proof that the defendant threatens to render the judgment ineffectual, a temporary restraining order and an appointment of temporary receiver may be granted to restrain such removal or transferring property to preserve the status quo pending a final decision on the merits of the case.

Pursuant to Federal Rule 66, when it appears, by the verified complaint, and/or declaration plaintiff is entitled to the relief demanded, and such relief during the litigation, it appears that the defendant is doing, or threatens, or is about to do, or is procuring or suffering to be done, some act in violation of the plaintiff's rights respecting the subject of the action, and. It may, also, be granted in any case where it is specially authorized by statute.

Plaintiffs seek a temporary restraining order with a temporary receiver, preliminary injunction and a permanent injunction via permanent receiver against Defendants imposing a restrain their ability to dissipate or dispose of any assets in order to preserve the status quo,

**Sharon Bridgewater vs. Roger Tonng, Mary Tonng and William Gily and Does 1-50  
C10-004966(MMC)**

**TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER**

g-2883

1  
2 The nature of this motion is due to cause of action of the Plaintiff [proposed] original  
3 amended Complaint, declaration and memo. and points of Authority. This Motion is also based  
4 on the Defendants' fraudulent conduct of the defendants disposing and fraudulently transferring  
5 assets into other persons and/or businesses names to defraud the Plaintiff and to preserve the status  
6 quo Temporary Restraining Order demonstrated below.  
7  
8  
9

## II. Facts

10  
11 The Defendants tortuously interfered with the Plaintiff's governmental contract, concealed known  
12 facts they were under a duty to disclose, defrauded the Plaintiff out of money and/or property,  
13 violated the Plaintiff's civil rights, causing extensive damage to the Plaintiff; and now they are  
14 continuing this conduct by fraudulently transferring property into other individual names to  
15 defraud the Plaintiff, and render a monetary judgment ineffective in this court.  
16

17 The "criminal" activity of the Defendants defrauding the Plaintiff out of her apartment and  
18 money warrants a TRO, asset freeze and an appointment of a temporary receiver preliminary  
19 injunction and permanent receiver.  
20  
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27

28 *Sharon Bridgewater vs. Roger Tanna, Mary Tenna and William Gilg and Dues 1-50*  
*C10-004966(MMC)*

**TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER**

3.

A-2084

1  
2 **Legal Standard for Granting a Rule 66 Temporary Restraining Order and/or an**  
3 **Appointment of Receiver**

4  
5 The egregious facts of this case and Defendants' pattern of fraudulent conduct warrant the  
6 entry of a Temporary Restraining Order, temporary receiver, and order to show cause re  
7 preliminary injunction and/or permanent receiver. A party seeking a temporary restraining order  
8 or preliminary injunction, temporary receiver must show the following: (1) a substantial likelihood  
9 of success on the merits; (2) irreparable injury; (3) that the injury to Plaintiffs outweighs the harm  
10 an injunction may cause Defendants; and (4) that granting the injunction would not harm the  
11 public interest. Plaintiffs, in the instant action satisfy each of these elements as further described  
12 herein. A court's power to grant injunctive relief should be exercised when intervention is  
13 essential to protect property or other rights from irreparable injury. "both money damages and  
14 equitable relief are sought ..., the controlling authority where a plaintiff, seeking equitable and  
15 legal relief, sued the defendant for numerous claims as pled in the proposed original amended  
16 complaint, it authorizes injunctive relief and/or a TRO and/or an Appointment of temporary  
17 receiving, when the defendants are fraudulently transferring property and/or assets pursuant to  
18 Rule 65 relief and encumbered the assets of the defendant to protect a future money judgment.  
19 Such is the equitable relief Plaintiffs seek. Where it appears that the debt is due and owing and  
20 there is danger that the Defendants or the Debtor may dispose of assets so as to defeat it before  
21 judgment the court has jurisdiction to grant a judgment as to prevent him/her from disposing  
22 assets.  
23  
24

25 *Sharon Bridgewater vs. Roger Tenna, Mary Tenna and William Gilg and Dages 4-50*  
26 *C10-004966(MMC)*

27 **TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE**  
28 **PERMANENT RECEIVER**

- 4 -

A-2085

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III.

STATEMENT OF FACTS

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Injunctive Relief--Court Orders

17 Any person who engages, has engaged, or proposes to engage in unfair business practices may be  
18 enjoined in any court of competent jurisdiction. The court may make such orders or judgments,  
19 including the appointment of a receiver, as may be necessary to prevent the use or employment  
20 by any person of any practice which constitutes unfair competition, as defined in this chapter, or  
21 as may be necessary to restore to any person in interest any money or property, real or personal,  
22 which may have been acquired by means of such unfair competition.

23  
24  
25  
26  
27  
28  
Further, Roger and Mary Tonna "Trust" and/or William Gilg Transferred to Close Friends  
and Relatives

29 On or about Nov. 1, 2010, the Plaintiff filed and served the Defendants with the complaint on or  
30 about Feb. 1, 2010, after the Plaintiff filed a writ of attachment in this federal court, which was  
31 denied due to the Plaintiff failure to state a claim the Defendants transferred "ALL" their  
32 properties in the San Francisco Bay area to family members and friends occasions since the filing  
33 of this complaint in this US Federal Court. It is plaintiff's belief they have dissipated assets by  
34 transferring money as well.

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*Sharen Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Doses 1-50  
C10-004966(MMC)*

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TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
41  
PERMANENT RECEIVER

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AUGUMENT

Appointment of "federal" Receiver and/or officer of the court" are necessary to manage Roger Tonna, Mary Tonna and William Gilg business, to protect the debtor company for the benefit of the Plaintiff Sharon Bridgewater; as the Defendants have assets located in more than one jurisdiction. It is necessary for the receiver to control the debtor's real property to maintain and preserve its value and to collect rents of Roger and Mary Tonna, and/or William Gilg to insure a monetary judgment. This Court should issue a preliminary injunction freezing assets, ordering an accounting, and ordering repatriation of assets. To obtain preliminary relief in a statutory enforcement action such as this, the Plaintiff need only show a likelihood of success on the merits and that the balance of equities tips in its favor, giving far greater weight to the public interest.

Here, the Plaintiff Sharon Bridgewater was a victim of a malicious crime by the Defendants, and has shown in her complaint that her claims have merit. The Court has authority to grant the preliminary injunction; (B) impose an asset freeze, to preserve the possibility of effective final relief for the Plaintiff; and it is imperative for this court to grant a temporary receiver.

A. Plaintiffs' claims asserted in this lawsuit have a substantial likelihood of success on the merits:

Plaintiffs have asserted claims of already presented sufficient facts to establish the elements of each of the claims there is a substantial likelihood of success on the merits of the plaintiff's claim.

*Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Does 1-50  
C10-004966(MMC)*

**TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER**

-6-

A - 2087

1  
2  
3 **B. Irreparable Injury will occur if Temporary Restraining Order is not granted**

4 Plaintiffs is facing irreparable injury as it is quite obvious that Defendants have already changed  
5 their names on other properties the plaintiff is unaware of and/or have fraudulently transferred  
6 (fraudulent conveyance) property and are disposing of their assets. If the court does not grant the  
7 Plaintiff relief a court awarded judgment against Defendants following trial will likely be  
8 worthless. Plaintiffs respectfully implore the Court to exercise its equitable powers as requested  
9 herein.

10  
11  
12 **C. The Injury to Plaintiffs outweighs the harm an injunction may cause Defendants;**

13 The entry of a temporary restraining order and preliminary injunction giving Plaintiffs  
14 control over the property, assets, will cause no harm whatsoever to Defendants.

15  
16 **D. The granting of the injunction would not harm the public interest,**

17 Where a party demonstrates both the likelihood of success on the merits and irreparable  
18 injury, it almost always will be the case that the public interest will favor the issuance of an  
19 injunction. *American Telephone and Telegraph Co.*, 42 F.3d 1421,1427 n. 8 (3rd Cir. 1994). In  
20 fact, the granting of this injunction will protect the public interest and prevent further schemes by  
21 Defendants to prey on other victims.

22  
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27  
28 *Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Does 1-50*  
C10-004966(MMC)

TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER

1  
2 **E. Scope of Injunction**  
3

4 As deemed proper by this Honorable Court to prevent the Defendants from disposing cash,  
5 property, dissipating banking accounts, etc. over sees and in America; as Roger and Mary Tonna  
6 have banking accounts and properties in other countries, also prevent the Defendants from filing  
7 bankruptcy to insure the Plaintiff obtain a monetary Judgment rendered by this court in the amount  
8 of and punitive damages award as deem just by this court.  
9

10

11 **Plaintiff Should Not Be Required to Post an Undertaking**  
12

13 Plaintiff should not be required to post an undertaking due to limited monthly income  
14

15

16 **VI. Conclusion**

17 Based on the foregoing, Plaintiffs respectfully request that this Court exercise its  
18 discretionary power to maintain the status quo by entering an Order for Temporary Restraining re-  
19 preliminary injunction, appointment of temporary and/or permanent receiver.  
20

21

22 **WHEREFORE** Plaintiffs respectfully request that this Court enter:

23  
24 1) A temporary restraining order pursuant to Fed. Rule Civ. Proc. 65 and/or 66 of the Federal  
25

26  
27  
28 *Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gllg and Does 1-50*  
C10-004966(MMC)

TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER

.8.

p-2089

1 Rules of Civil

2 1. For a Temporary Restraining Order, temporary receiver and/or permanent receiver re  
3 preliminary because: (a) Plaintiffs have a reasonable probability of success on the  
4 merits; (b) there is a danger of real, immediate, and irreparable injury which may be  
5 prevented by injunctive relief; (c) there is no other plain, speedy, and adequate remedy  
6 at law; (d) the granting of a preliminary injunction will not disserve the public interest;  
7 (e) the balance of equities favors the injunction; and (f) the injunction will preserve the  
8 status quo pending a trial on the merits (G) Order the Defendants to deposit funds into  
9 the court registry and post a bond, at  
10  
11 2) A temporary restraining order pursuant to Fed. Rule Civ. Proc. 65 and/or 66 of the Federal  
12  
13 Rules of Civil  
14 3) ~~Partial~~ Judgment against the defendants in the amount of \$ 356,409.60 as pled in  
15 the Plaintiff's complaint entitled to see (for proof of damages exh. ) 4th cause of action  
16  
17 4) Punitive damages according to proof at trial, and for treble damages for all causes  
18 of action  
19 5) Enjoin Defendants from concealing, converting, selling, transferring, or otherwise  
20 dissipating any assets, including cash, in which they have an ownership interest, legal or  
21 beneficial, as deemed appropriate by this court.  
22  
23 6) Order for defendants to produce sensitive financial and/or net worth information to assess  
24 Punitive damages restrict the documents to produce to those that represents the present net  
25 Worth of the defendants, for trial, to assess a fair settlement of this case AND/OR A  
26 PERMANENT INJUNCTION ORDER THE DEFENDANTS DEPOSIT WITH THE  
27  
28

Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Does 1-50  
C10-004966(MMC)

TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER

9

18-2090

COURT A MONEY JUDGMENT RENDERED AND/OR THE TEMPORARY RECEIVER.

- 7) Order the defendants to produce a list of other defendants (names) that should be added to this complaint.
- 8) Order the defendants to produce names of "any aliases" names in the Real Property they Own and/or of any banking accounts, trust, etc.
- 9) Order the Defendants to produce a "sworn financial statement" under oath of all natural persons, entities, partners, etc. to be included to this complaint, and allow the Plaintiff to amend the complaint to include added defendants, and their correct spelling of their names.
- 10) Order the Defendants Jail time and/or sanctions if they conceal, and/or make intentional misrepresentation pursuant to the sworn statements.
- 11) For cost of suit and "reasonable attorney fee's.
- 12) Expedited Discovery
- 13) Hold each defendant jointly and severally liable for concert of action.
- 14) Debar William Gilg and Jo-Lynne-Q Lee from practicing law, after judgment has been paid to the Plaintiff.
- 15) Grant the Plaintiff and interest in Property/Gash or to satisfy judgment rendered by this court.
- 16) Order the defendants to Deposit in the Courts Registry the amount of Judgment ~~& Penalties~~ rendered by this court in favor of the Plaintiff and Order the defendants to immediately

Deposit into the Court's Registry the amount of Judgment of 356,409.60

(Three thousand ~~hundred~~ <sup>hundred</sup> fifty six Dollars) for the Plaintiff immediate pick-up.  
~~thousand, four hundred~~ <sup>thousand, four hundred</sup> ~~forty six~~ <sup>forty six</sup> ~~cents~~ <sup>cents</sup>.

***Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Does 1-50  
C10-004966(MMC)***

**TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER**

-10-

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1 17) Dissolve the injunction and/or discharge the temporary and/or permanent receiver after  
2 the Plaintiff is fully compensated for the Judgment rendered by this court.  
3  
4 18) Pre-judgment and/or post judgment interest at the maximum legal rate.  
5  
6 19) Order the Defendants to file a bond with the court by a party against whom a judgment has  
7 been rendered, in order to stay execution of the judgment pending appeal to a higher court.  
8 The bond guarantees that the judgment will be satisfied if determined to be correct.  
9  
10 20) Stay any and all legal proceedings, execution, and enforcement of Orders, Judgment,  
11 writs, etc. requested of the Plaintiff in this U.S. Federal District.  
12  
13 21) Permanent injunctive relief, and dissolve the injunction after the Defendants have fully  
14 satisfied the money judgment rendered by this court.  
15  
16 22) The Plaintiff respectfully asks for the courts assistance to write the TRO, preliminary  
17 injunction, temporary receiver and/or permanent receiver.  
18  
19 24) IMMEDIATE POSSESSION OF THE APARTMENT.  
20  
21 23) Any other relief as deemed appropriate by this court.  
22  
23  
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Sept 11, 2011 (5b)  
Dated: SEPT 13, 2011

  
Sharon Bridgewater

*Sharon Bridgewater vs. Roger Tanna, Mary Tanna and William Gilg and Daeas 1-50*

*C10-004966(MMC)*

**TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER**

11.

A 2092

1      Sharon Bridgewater

2      965 Mission Street, Suite 409  
3      San Francisco, CA 94103

4      In Pro Se

5      **UNITED STATES DISTRICT COURT FOR**  
6      **NORTHERN DISTRICT OF CALIFORNIA**

7

8      Sharon Bridgewater,

9      Plaintiff,

10     Vs.

11     Roger Tonna, Mary Tonna(AKA Mary F  
12     Tonna) and does 1 thru 50 inclusive

13     Defendants

14     William Gilg and does 1 thru 50 inclusive

15      )      CASE No. C10-04966(MMC)

16      )      MEMPORUDUM AND POINTS OF  
17      )      AUTHORITY IN SUPPORT IN SUPPORT  
18      )      OF THE PLAINTIFF EX-PARTE  
19      )      APPLICATION FOR TRO WITH ASSET  
20      )      FREEZE, APPOINTMENT OF TEMP.  
21      )      RECEIVER, EXPEDITED DISCOVERY  
22      )      AND OTHER EQUITABLE RELIEF AND  
23      )      ORDER TO SHOW CAUSE  
24      )      PRELIMINARY INJUNCTION AND  
25      )      PERMANENT RECEIVER

26      )      Date: TBA

27      )      Time: TBA

28      )      Dept: 7 floor 19th

29      )      Co-Legal Defendant

30

31      )      MEMORDUM AND POINTS AUTHORITY IN SUPPORT OF  
32      )      EX-PARTE APPLICATION FOR ORDER TO SHOW CAUSE TEMPORARY  
33      )      RESTRAINING ORDER RE PRELIMINARY

34

35      )      *Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Does 1-50*  
36      )      C10-004966(MMC)

37      )      TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
38      )      PERMANENT RECEIVER

A 20 93

1  
2  
3       In any case when a party violates a citizen United States Constitutional rights as guaranteed by  
4 the United States of America, a Plaintiff is entitled to injunctive relief and it is axiomatic that you  
5 cannot proceed on an unlawful detainer for ZERO AMOUNT OF RENT DUE when all the rents  
6 are current, and WITHOUT PROVIDING A "Notice to Pay Rent or Quit" AND/OR A NOTICE  
7 OF TERMINATION OF TENANCY AS REQUIRED BY FEDERAL AND STATE LAW.  
8

9       As the Court of appeal stated in *Burtscher v. Burtscher*, 26 Cal. App. 4th 720 (1994) held as  
10 follows:

11       We can perceive of situations where it may be difficult  
12 to distinguish between when a lawyer is representing a  
13 client and when he or she is an integral part of a conspiracy  
14 to defraud a third person, but that is not our case. In our case,  
15 attorney Hobbs resorted to self-help (with a little help from her  
16 cousin) in going onto the property and unilaterally retaking  
17 possession in circumstances where a lawyer would be serving  
a notice to quit, filing an unlawful detainer action and getting  
a court order. Hobbs actively participated in conduct that went  
way beyond the role of legal representative: self-help is not  
the practice of law. The facts establish a prima facie case.  
18

19       In this case as stated above the attorneys while William Gil were representing the Roger  
20 and Mary Tonna in bring an unlawful detainer, decided to deceive the Court and plaintiff herein  
21 in violation of California Criminal statute, to wit section 6128 (a) of the Business & Professions  
22 Code. Lynne-Q-Lee joined the conspiracy, as she had a answer from the Plaintiff, and knew the  
23 Plaintiff was in legal possession of her apartment and there was no jurisdiction of the Court to  
24 proceed in the unlawful detainer.  
25  
26  
27

28       *Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gil and Does 1-50  
C10-004966(MMC)*

2       TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE  
PERMANENT RECEIVER

p 2094

1 It is plaintiff contention herein the Attorneys, his client the Tonna's and the Judge in  
2 question not only had a legal duty to so inform the Court that the unlawful detainer had to be  
3 dismissed but by agreeing to proceed against plaintiff herein, these attorney, their client,  
4 engaged into a civil compromise which is atrocious as clearly a cause of action for possession of  
5 the Plaintiff apartment for ZERO AMOUNT OF RENT DUE, WITHOUT PROVIDING A  
6 NOTICE OF TERMINATION OF TENANCY cannot go forward. The Court of Appeal, in  
7 Panoutsopolus v. Chambliss, 157 Cal App 4<sup>th</sup> 297 (2007) stated the controlling principles of law  
8 as follows:

11 "A civil conspiracy however atrocious,  
12 does not per se give rise to a cause of  
13 action unless a civil wrong has been  
14 committed resulting in damage. [Citations]."  
15 "The elements of an action for civil conspiracy  
16 are the formation and operation of the conspiracy  
17 and damage resulting to plaintiff from an act or  
18 acts done in furtherance of the common design.  
19 In such an action the major significance of the  
20 conspiracy lies in the fact that it renders each  
21 participant in the wrongful act responsible as a joint  
22 tortfeasor for all damages ensuing from the wrong,  
23 irrespective of whether or not he was a direct actor  
24 and regardless of the degree of his activity. [Citations.]"  
25

26 In this case the attorneys sought to deceive the Plaintiff and the Court, in violation of  
27 B & P Code section 6128 (a) that he unlawful detainer could proceed, when in fact the Court  
28 never had jurisdiction to enter a Judgment for possession of the plaintiff apartment.

29 Plaintiff in this case has established a "reasonable probability" that plaintiff can prevail in  
30 this case and has show in her [proposed]original verified complaint that a malicious, wrongful

31 *Sharon Bridgewater vs. Roger Tonna, Mary Tonna and William Gilg and Does 1-50*  
32 *C10-004966(MMC)*  
33 **TRO/ TEMPORARY RECEIVER ORDER TO SHOW CAUSE**  
34 **PERMANENT RECEIVER**

3

A 2095

1 eviction has occurred in this case and the court did not have jurisdiction at the time of the  
2 trial date, and what is even more proof of the fraudulent conduct of the attorneys in question  
3 herein all defendants discriminated against the Plaintiff based on the Plaintiff being "socially  
4 economically disadvantaged, and a member of a class based and/or race discriminatory animus.  
5

6 The Defendants are indebted to the Plaintiff, the Defendants have fraudulently  
7 transferred property and assets; remedies include: (1) voiding the transfer or obligation to satisfy  
8 the debt, (2) obtaining a prejudgment seizure against the transferred asset or property of the  
9 transferee, (3) restraining the further transfer or relocation of the asset, or (4) seeking the  
10 appointment of a receiver to protect the asset. For this reason the Plaintiff is entitled to all above  
11 action to insure a monetary judgment.  
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SL-100, item 3

Page #5

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7  
**VERIFICATION**

8  
I Sharon Bridgewater Declare:

9  
I am the Plaintiff in the above entitled action.

10  
I make this verification because the facts set forth in the complaint are within my  
11  
knowledge and it is my apartment that was illegally and unlawfully entered into by the  
12  
former property manager without the right an/or Plaintiff permission.

13  
The Plaintiff have several witnesses and seen the former property manager illegally take  
14  
possession from the Plaintiff apartment without the right to the possessions.

15  
I have read the foregoing complaint and know the contents thereof. The same is true of  
16  
my own knowledge. I except as to those matters which are therein alleged on information  
17  
and belief, and as to those matters, I believe it to be true.

18  
I Sharon Bridgewater declare under penalty of perjury under the laws of the State of  
19  
California that the foregoing is true and correct.

20  
21  
22  
23  
Dated: June 10, 2010

24  
25  
26  
At San Leandro, California



27  
Sharon Bridgewater

28  
COMPLAINT FOR DAMAGES

SC-100, Item 3  
Page # 4

1 premises by negligently hiring the former Property Manager and breached the Plaintiff's  
2 peaceful and quiet enjoyment of the unit.

3  
4  
5 13. Roger Tonna and Does 1 thru 50 have a vicarious liability for the actions of Charmaine  
6 Martinelli actions, and are liable to the Plaintiff for her damages.

7  
8  
9 14. Further a lady was found dead in the apartment building and her body discovered 5-10  
10 days later.

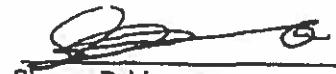
11  
12 15. The Plaintiff have suffered from emotional distress of "horror," fright, fear, shock and is  
13 constantly scared.

14  
15 19. As a proximate result of the negligence of defendants, and breach of implied warranty  
16 of habitability Roger Tonna and Does 1 thru 50 inclusive each of them and does 1 thru 50,  
17 the Plaintiff is entitled to relocation fee's first and last month rent. The replacement of her items  
18 stolen and *other things*.

19  
20 20. The defendants are liable to the Plaintiff for damages *sustained*, and relocation fee's,  
etc.

21  
22 21. Plaintiff prayer to this court for damages in the amount of amount of \$ 7,499.00  
23 according to proof at trial.

24  
25 Dated: June 16, 2010

  
Sharon Bridgewater

26  
27  
28 COMPLAINT FOR DAMAGES

SC-100, 1km 3  
Page # 4

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13 constantly scared.

14  
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16 of habitability Roger Tonna and Does 1 thru 50 inclusive each of them and does 1 thru 50,  
17 the Plaintiff is entitled to relocation fee's first and last month rent. The replacement of her items  
18 stolen and *other things*.

19  
20 20. The defendants are liable to the Plaintiff for damages sustained, *for her emotional distress.* and relocation fee's,  
etc.

21  
22 21. Plaintiff prayer to this court for damages in the amount of amount of \$ 7,499.00  
23 according to proof at trial.

24  
25 Dated: June 16, 2010

  
26  
27  
28  
Sharon Bridgewater

COMPLAINT FOR DAMAGES

SC-100, 1km 3  
Page # 4

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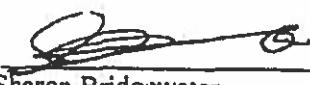
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Sharon Bridgewater

COMPLAINT FOR DAMAGES

SC-100 | km 3  
Page 3

1  
2  
3 7. On or about Sept. 10, 2009 Roger Tonna and Does 1 thru 50 carelessly and negligently  
4 hired a single female, Charmaine Martinelli at 111 Preda Street, San Leandro, CA, as  
5 Property Manager for the rental units.

6  
7 8. It is Plaintiff belief that Charmaine Martinelli is a convicted felon; as several tenants in  
8 the unit have informed and told the Plaintiff that Charmaine Martinelli, is a convicted felon  
9 served time in prison for embezzlement.

10  
11 9. Several of the tenants in the unit "saw/eye-witnessed" Charmaine Martinelli illegally  
12 enter the Plaintiff premise while the Plaintiff was at her father funeral and/or out of town,  
12 *or take the Plaintiff items without permission*

13  
14 10. On or about Dec. 19, 2009 and/or Feb. 5, 2010 Charmaine Martinelli, and other  
15 unknown accomplishes illegally and unlawfully entered the Plaintiff residence without the  
16 Plaintiff without the right to enter, without "an emergency situation" without the Plaintiff's  
17 permission and/or knowledge and/or consent.

18 10. Charmaine Martinelli, stole several items from the residence in violation of State law.

19  
20 11. Such items include a computer, monitor, expensive eye glasses, a leather rolling brief  
21 case, expensive art supplies(paint brushes, oil paint, water paint, stencils), books, disposal of  
22 personal and business receipts, personal and business papers.

23  
24 12. The section 8 hud federal and/or State policy provides that no landlord may hire a  
convicted felon, while participant and receiving federal HUD program.

25  
26 Roger Tonna and Does 1 thru 50 failed to exercise ordinary care in and breached the lease  
27 agreement of implied warranty of habitability by failing to provide adequate Security of the  
28

#### COMPLAINT FOR DAMAGES

1  
2  
3 7. On or about Sept. 10, 2009 Roger Tonna and Does 1 thru 50 carelessly and negligently  
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15 permission and/or knowledge and/or consent.

16 10. Charmaine Martinelli, stole several items from the residence in violation of State law.

17 11. Such items include a computer, monitor, expensive eye glasses, a leather rolling brief  
18 case, expensive art supplies(paint brushes, oil paint, water paint, stencils), books, disposal of  
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COMPLAINT FOR DAMAGES

SC-100  
km 3  
Page 3

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28

COMPLAINT FOR DAMAGES

APP-102

Notice of Appeal/Cross-Appeal  
(Limited Civil Case)

## Instructions

- This form is only for appealing in a limited civil case. You can get other forms for appealing in criminal cases at any courthouse or county law library or online at [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms).
- Before you fill out this form, read *Information on Appeal Procedures for Limited Civil Cases* (form APP-101-INFO) to know your rights and responsibilities. You can get form APP-101-INFO at any courthouse or county law library or online at [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms).
- You must serve and file this form no later than 30 days after the trial court mails or a party serves a document called a Notice of Entry of the trial court judgment or a file-stamped copy of the judgment or 90 days after entry of judgment, whichever is earlier (see rule 8.823 of the California Rules of Court for very limited exceptions). If your notice of appeal is late, your appeal will be dismissed.
- Fill out this form and make a copy of the completed form for your records and for each of the other parties.
- Serve a copy of the completed form on each of the other parties and keep proof of this service. You can get information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California Courts Online Self-Help Center at [www.courtinfo.ca.gov/selfhelp/lawcost/getready.htm#serving](http://www.courtinfo.ca.gov/selfhelp/lawcost/getready.htm#serving).
- Take or mail the original completed form and proof of service on the other parties to the clerk's office for the same court that issued the judgment or order you are appealing. It is a good idea to take or mail an extra copy to the clerk and ask the clerk to stamp it to show that the original has been filed.

## ① Your Information

a. Name of appellant (the party who is filing this appeal):

Shawn Bridgewater

b. Appellant's contact information (skip this if the appellant has a lawyer for this appeal):

Street address: 111 Preda Street #7 Street City State Zip

Mailing address (if different): \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip

Phone: (415) 933-3465 Street City State Zip  
E-mail (optional): Shbridge11@aol.com

c. Appellant's lawyer (skip this if the appellant does not have a lawyer for this appeal):

Name: N/A State Bar number: \_\_\_\_\_

Street address: \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip

Mailing address (if different): \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip

Phone: ( ) Street City State Zip  
E-mail (optional): \_\_\_\_\_

Fax (optional): ( ) Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip

Clerk stamps date here when form is filed.

8839760\*

FILED  
ALAMEDA COUNTY

OCT - 5 2010

CLERK OF THE SUPERIOR COURT  
By Deputy

You fill in the name and street address of the court that issued the judgment or order you are appealing:

Superior Court of California, County of \_\_\_\_\_

You fill in the number and name of the trial court case in which you are appealing the judgment or order:

Trial Court Case Number:

H6105271647

Trial Court Case Name:

The clerk will fill in the number below:

Appellate Division Case Number:

7. The term "employee" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, personnel, provisional employee, staffer, subcontractor, or any other type of service provider.
8. The terms "Target Number 1" and "Target Number 2" mean the individuals identified as such during the October 5, 2011 briefing for congressional staff provided by FBI, DEA, ATF, and DOJ employees at DOJ headquarters.

PLAINTIFF: Roger Tonna, et al

FILE NUMBER:  
HG10-527647

DEFENDANT:Sharon Bridgewater

JUDGMENT IS ENTERED AS FOLLOWS BY:  THE COURT  THE CLERK

## 3. Parties. Judgment is

a.  for plaintiff (name each): Roger Tonna, Mary Tonna

and against defendant (name each): Sharon Bridgewater

 Continued on Attachment 3a (form MC-025).b.  for defendant (name each):4.  Plaintiff  Defendant is entitled to possession of the premises located at (street address, apartment, city, and county):  
111 Preda St., #7  
San Leandro CA 945775.  Judgment applies to all occupants of the premises including tenants, subtenants if any, and named claimants if any (Code Civ. Proc., §§ 715.010, 1169 and 1174.3).6.  Amount and terms of judgmenta.  Defendant named in Item 3a above must pay plaintiff on b.  Plaintiff is to receive nothing from defendant named in Item 3b. Defendant named in Item 3b is to recover costs: \$  and attorney fees: \$

(1) <input type="checkbox"/> Past-due rent	\$ 500.00
(2) <input checked="" type="checkbox"/> Holdover damages	\$ 500.00
(3) <input type="checkbox"/> Attorney fees	\$ 220.00
(4) <input checked="" type="checkbox"/> Costs	\$ 220.00
(5) <input type="checkbox"/> Other (specify):	\$
(6) TOTAL JUDGMENT	\$ 220.00

c.  The rental agreement is canceled.  The lease is forfeited.7.  Conditional Judgment. Plaintiff has breached the agreement to provide habitable premises to defendant as stated in Judgment-Unlawful Detainer Attachment (form UD-110S), which is attached.8.  Other (specify): Continued on Attachment 8 (form MC-025).

Date:

Data:

9/21/10



JUDICIAL OFFICER



Deputy

(SEAL)

## CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

PLAINTIFF: Roger Tonna, et al

JUDGMENT NUMBER:  
HG10-527647

DEFENDANT:Sharon Bridgewater

JUDGMENT IS ENTERED AS FOLLOWS BY:  THE COURT  THE CLERK

## 3. Parties. Judgment is

a.  for plaintiff (name each): Roger Tonna, Mary Tonna

and against defendant (name each): Sharon Bridgewater

 Continued on Attachment 3a (form MC-025).b.  for defendant (name each):4.  Plaintiff  Defendant is entitled to possession of the premises located at (street address, apartment, city, and county):  
111 Preda St., #7  
San Leandro CA 945775.  Judgment applies to all occupants of the premises including tenants, subtenants if any, and named claimants if any (Code Civ. Proc., §§ 715.010, 1169 and 1174.3).6.  Amount and terms of judgmenta.  Defendant named in Item 3a above must pay plaintiff on the complaint:

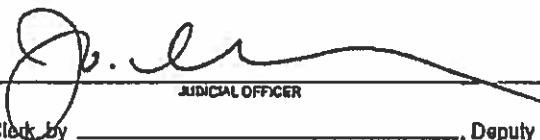
(1) <input type="checkbox"/> Past-due rent	\$ 500.00
(2) <input checked="" type="checkbox"/> Holdover damages	\$ 500.00
(3) <input type="checkbox"/> Attorney fees	\$ 0.00
(4) <input checked="" type="checkbox"/> Costs	\$ 220.00
(5) <input type="checkbox"/> Other (specify):	\$ 0.00
(6) TOTAL JUDGMENT	\$ 720.00

b.  Plaintiff is to receive nothing from defendant named in Item 3b. Defendant named in Item 3b is to recover costs: \$  and attorney fees: \$c.  The rental agreement is canceled.  The lease is forfeited.7.  Conditional Judgment. Plaintiff has breached the agreement to provide habitable premises to defendant as stated in Judgment-Unlawful Detainer Attachment (form UD-110S), which is attached.8.  Other (specify): Continued on Attachment 8 (form MC-025).

Date:

Date:

9/21/10

  
 JUDICIAL OFFICER  
 Clerk, by \_\_\_\_\_, Deputy

(SEAL)

## CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by \_\_\_\_\_, Dep.

1 in this complaint was the Owner of 111 Preda Street Apartment(s), Alameda, County, California.

2 2. Plaintiff is ignorant of the true names and capacities of defendants sued in this complaint  
3 As Does 1 through 50, inclusive, and therefore sue these individuals by such fictitious names.

4 Plaintiff will amend this complaint to allege their true names and capacities when ascertained.

5 Plaintiff is informed and believes and thereon alleges that each of the fictitiously named

6 Defendants is negligently responsible in some manner for the occurrences alleged in this

7 complaint, and Plaintiff injuries and/or damages herein alleged were proximately caused by the

8 Defendant's negligence.

9 3. At all times mentioned in this complaint defendants, Roger Tonna, and does 1  
10 thru 50, owned and operated, maintained, controlled that certain apartment building at 111 Preda  
11 Street, San Leandro, County of Alameda, California.

12 4. On or about June 15, 2009 the Plaintiff entered into a written lease agreement for  
13 premises of 111 Preda Street Apartment #7, San Leandro, CA 94577 with Roger Tonna and  
14 Does 1 thru 50.

15 5. At all times mentioned in this complaint plaintiff performed her obligations under the  
16 lease agreement defendants(s) and was in lawful, legal, possession of the apartments at 111  
17 Preda Street Apartment # 7.

18 6. At all times mentioned the Plaintiff was a part pâté in the United States Housing and  
19 Urban Development HUD section 8 program.

20 7. Each month the defendants receive payments from HUD on behalf of the Plaintiff.

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29  
COMPLAINT FOR DAMAGES

SC-100, 1k, #3  
PAGE 2

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28  
COMPLAINT FOR DAMAGES

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COMPLAINT FOR DAMAGES

SC-100, Item  
Page #1

1 Sharon Bridgewater  
2 111 Preda Street # 7  
3 San Leandro, CA 94577  
In Pro Se

6  
7 SUPERIOR COURT OF CALIFORNIA  
8  
9  
10  
11  
12 COUNTY OF ALAMEDA

11 Sharon Bridgewater,  
12 Plaintiff,

CASE No.

13 Vs.

14 COMPLAINT FOR DAMAGES

15 Negligence; Breach of Implied Warranty of  
16 Habitability; Breach of Contract

17 Roger Tonna  
18 And Does 1 thru 50 inclusive

Amount demanded \$ 7,499.00

[SMALL CLAIMS COURT]

19 Defendants,  
20

21 Plaintiff alleges:  
22

23 1. At all times mentioned in this complaint, defendant Roger Tonna and does 1 thru 50  
24 inclusive was the Owner of Apartment units at 111 Preda Street #7, San Leandro, CA  
25  
26 94577.

27  
28 COMPLAINT FOR DAMAGES

SC. 100, Item  
Page #1

1 Sharon Bridgewater  
2 111 Preda Street # 7  
3 San Leandro, CA 94577  
In Pro Se

6 SUPERIOR COURT OF CALIFORNIA  
7  
8 COUNTY OF ALAMEDA

11 Sharon Bridgewater,  
12 Plaintiff,

CASE No.

13 Vs.

14 COMPLAINT FOR DAMAGES

15 Negligence; Breach of Implied Warranty of  
16 Habitability; Breach of Contract

16 Roger Tonna  
17 And Does 1 thru 50 inclusive

18 Amount demanded \$ 7,499.00

19 [SMALL CLAIMS COURT]

20 Defendants,

21 Plaintiff alleges:

22 1. At all times mentioned in this complaint, defendant Roger Tonna and does 1 thru 50  
23 inclusive was the Owner of Apartment units at 111 Preda Street #7, San Leandro, CA  
24 94577.

25  
26  
27  
28 COMPLAINT FOR DAMAGES

SC-100, Item  
Prog #F ]

1 Sharon Bridgewater  
2 111 Preda Street # 7  
3 San Leandro, CA 94577  
In Pro Se

6 SUPERIOR COURT OF CALIFORNIA  
7  
8 COUNTY OF ALAMEDA

11 Sharon Bridgewater, CASE No.  
12 Plaintiff,

13 Vs. COMPLAINT FOR DAMAGES

15 Negligence; Breach of Implied Warranty of  
16 Habitability; Breach of Contract

17 Roger Tonna Amount demanded \$ 7,499.00  
18 And Does 1 thru 50 inclusive [SMALL CLAIMS COURT]

19 Defendants,  
20

21 Plaintiff alleges:  
22

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25 inclusive was the Owner of Apartment units at 111 Preda Street #7, San Leandro, CA  
26 94577.

27  
28 COMPLAINT FOR DAMAGES

Affirmative defenses continued page 3j (Page 2 of 2)

(E)

Plaintiff (s) the defendant's have accepted Section 8 rent (July) on behalf of the Plaintiff defendant and waives the right to terminate and/or evict.

(F) Pursuant to "Section 8 law" the defendant can not evict a tenant a must have good cause to evict a "NON-PAYMENT" of rent

Plaintiff (s)

(G) The defendants have failed to maintain the premises, and the Plaintiff (s) violated Federal & State law by failing to provide Smoke detectors in Plaintiff defendant's apartment.

  
Steven Budgensoe

8/2/2010

Affirmative defenses continued page 3j (Page 2 of 2)

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Steven Budgenso  
8/2/2010

Affirmative defenses continued page 3j (Page 2 of 2)

(E) Plaintiff (s) the defendant's have accepted Section 8 rent (July) on behalf of the Plaintiff defendant and waives the right to terminate and/or evict.

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(G) Plaintiff (s) The defendants have failed to maintain the premises, and the Plaintiff <sup>Defendant</sup> at violated Federal & State law by failing to provide Smoke detectors in Plaintiff defendants apartment.

  
Simmons Budjensson  
8/2/2010

Continued Attachment 3j (Page 1 of 2)

(B) The defendant does not state / and/or did not check box 7B and has not complied with the fictitious business name laws and does not have the legal authority to bring a cause of action in this Superior Court.

(C) The defendant "can not" forfeast a section 8 lease agreement. The defendant must provide a 90 notice of termination of tenancy to the Plaintiff. "as provide by section 8" law.

(d) The defendant is retaliating against the Plaintiff. The Plaintiff has exercised her legal right and filed a small claims court action against the TONNA's for negligence, Breach of Contract/Breach of Implied Warranty of Habitability, hiring a convicted felon who stole Plaintiff's possession from her apartment when the Plaintiff <sup>went to her father's funeral in Michigan</sup> and the Plaintiff have "eye-witnesses, that saw." The Plaintiff have a court case/date next week 8/13/2010, and for failure to provide "Smoke detectors" and "other damages." (see case# HS10520747) <sup>habitability issues</sup> (in this court.)  
the defendants are retaliating. (see exch. count files)

Continued Attachment 3j (Page 1 of 2)

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Continued Attachment 3j (Page 1 of 2)

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UD-105

PLAINTIFF (Name): <i>Roger &amp; Mary Thorne</i>	CASE NUMBER: <i>HG10527647</i>
DEFENDANT (Name): <i>Sharon Bridgewater</i>	

## 3. AFFIRMATIVE DEFENSES (cont'd)

j. Facts supporting affirmative defenses checked above (identify each item separately by its letter from page one):

(A) 3-d - Plaintiff notice is defective, invalid, doesn't state and/or no box is checked on the notice to Person to be served. (This court doesn't have jurisdiction)

(1)  All the facts are stated in Attachment 3. (2)  Facts are continued in Attachment 3; have jurisdiction.

## 4. OTHER STATEMENTS

a.  Defendant vacated the premises on (date):b.  The fair rental value of the premises alleged in the complaint is excessive (explain): *zero*  
The defendant's fail to provide the Plaintiff with snake doctors and/or fail to maintain a "resident manager" in violation of Cal. Law.c.  Other (specify):  
*The defendants are breaking Fed. & State law.*

## 5. DEFENDANT REQUESTS

a. that plaintiff take nothing requested in the complaint.

b. costs incurred in this proceeding.

c.  reasonable attorney fees.d.  that plaintiff be ordered to (1) make repairs and correct the conditions that constitute a breach of the warranty to provide habitable premises and (2) reduce the monthly rent to a reasonable rental value until the conditions are corrected.e.  Other (specify): *further & other relief as deemed just by this Court.*6.  Number of pages attached (specify):

## UNLAWFUL DETAINER ASSISTANT (Business and Professions Code sections 8400-8415)

7. (Must be completed in all cases) An unlawful detainer assistant  did not  did for compensation give advice or assistance with this form. (If defendant 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:

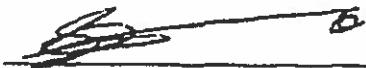
e. Registration No.:

f. Expires on (date):

*Sharon Bridgewater*

(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)



(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)

(Each defendant for whom this answer is filed must be named in item 1 and must sign this answer unless his or her attorney signs.)

## VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)  
I am the defendant in this proceeding and have read this answer. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date:

*Sharon Bridgewater*

(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT)

UD-105

PLAINTIFF (Name): <i>Roger &amp; Mary Turner</i>	CASE NUMBER:
DEFENDANT (Name): <i>Sharon Bridgewater</i>	HG10527647

## 3. AFFIRMATIVE DEFENSES (cont'd)

j. Facts supporting affirmative defenses checked above (identify each item separately by its letter from page one):

(A) 3-d - Plaintiff notice is defective, invalid, doesn't state and/or no box is checked on the notice to Person to be served. (This court doesn't have jurisdiction)

(1)  All the facts are stated in Attachment 3. (2)  Facts are continued in Attachment 3.

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*The defendants are hearing Fed. & State law.*

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a. Assistant's name:

b. Telephone No.:

c. Street address, city, and ZIP:

d. County of registration:

e. Registration No.:

f. Expires on (date):

*Sharon Bridgewater*

(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)



(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)

(Each defendant for whom this answer is filed must be named in item 1 and must sign this answer unless his or her attorney signs.)

## VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)  
I am the defendant in this proceeding and have read this answer. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date:*Sharon Bridgewater*

(TYPE OR PRINT NAME)



(SIGNATURE OF DEFENDANT)

UD-105

PLAINTIFF (Name): <i>Roger &amp; Shirley TOWNS</i>	CASE NUMBER:
DEFENDANT (Name): <i>SHARON BRIDGEWATER</i>	HG10527647

## 3. AFFIRMATIVE DEFENSES (cont'd)

j. Facts supporting affirmative defenses checked above (identify each item separately by its letter from page one):

(A) 3-d - Plaintiff notice is defective, invalid, doesn't state and/or no box is checked on the notice to Person to be served. (This Court doesn't have jurisdiction)

(1)  All the facts are stated in Attachment 3j.(2)  Facts are continued in Attachment 3j. have jurisdiction

## 4. OTHER STATEMENTS

a.  Defendant vacated the premises on (date):b.  The fair rental value of the premises alleged in the complaint is excessive (explain): *0 zero*  
The defendants fail to provide the Plaintiff with snake doctors and/or fail to maintain a "resident manager" in violation of Cal. Law.c.  Other (specify):  
*The defendants are breaking Fed. & State law.*

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## UNLAWFUL DETAINER ASSISTANT (Business and Professions Code sections 8400-8415)

7. (Must be completed in all cases) An unlawful detainer assistant  did not  did for compensation give advice or assistance with this form. (If defendant 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.:

f. Expires on (date):

*SHARON BRIDGEWATER*

(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)



(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)

(Each defendant for whom this answer is filed must be named in Item 1 and must sign this answer unless his or her attorney signs.)

## VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the defendant in this proceeding and have read this answer. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date:

*SHARON BRIDGEWATER*

(TYPE OR PRINT NAME)



(SIGNATURE OF DEFENDANT)

8678201

UD-105

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
<b>SHARON BRIGGINS</b> 111 PREDA STREET #7 SAN LEANDRO, CA 94577 ATTORNEY FOR (Name): <b>IN PRO PER</b>			
NAME OF COURT: Superior Court of California, Limited Jury STREET ADDRESS: County of Alameda MAILING ADDRESS: 24405 Alameda Street CITY AND ZIP CODE: Hayward, CA 94544 BRANCH NAME:			<b>FILED</b> <b>ALAMEDA COUNTY</b> AUG 04 2010 CLERK OF THE SUPERIOR COURT BY <i>[Signature]</i> 
<b>PLAINTIFF:</b> Roger & MARY TONNA <b>DEFENDANT:</b> <b>SHARON BRIGGINS</b>			CASE NUMBER: <b>HG10527647</b>
ANSWER—Unlawful Detainer			

1. Defendant (names): **SHARON BRIGGINS**

answers the complaint as follows:

2. Check ONLY ONE of the next two boxes:

a.  Defendant generally denies each statement of the complaint. (Do not check this box if the complaint demands more than \$1,000.)

b.  Defendant admits that all of the statements of the complaint are true EXCEPT

(1) Defendant claims the following statements of the complaint are false (use paragraph numbers from the complaint or explain): The defendant agreed with Plaintiff, the Plaintiff breached an ORPC Agreement, waived the notice to vacate.

Continued on Attachment 2b (1).

(2) Defendant has no information or belief that the following statements of the complaint are true, so defendant denies them (use paragraph numbers from the complaint or explain):

Continued on Attachment 2b (2).

3. AFFIRMATIVE DEFENSES (NOTE: For each box checked, you must state brief facts to support it in the space provided at the top of page two (item 3j)).

a.  (nonpayment of rent only) Plaintiff has breached the warranty to provide habitable premises.

b.  (nonpayment of rent only) Defendant made needed repairs and properly deducted the cost from the rent, and plaintiff did not give proper credit.

c.  (nonpayment of rent only) On (date): before the notice to pay or quit expired, defendant offered the rent due but plaintiff would not accept it.

d.  Plaintiff waived, changed, or canceled the notice to quit.

e.  Plaintiff served defendant with the notice to quit or filed the complaint to retaliate against defendant.

f.  By serving defendant with the notice to quit or filing the complaint, plaintiff is arbitrarily discriminating against the defendant in violation of the Constitution or laws of the United States or California.

g.  Plaintiff's demand for possession violates the local rent control or eviction control ordinance of (city or county, title of ordinance, and date of passage):

(Also, briefly state the facts showing violation of the ordinance in item 3j.)

h.  Plaintiff accepted rent from defendant to cover a period of time after the date the notice to quit expired.

i.  Other affirmative defenses are stated in item 3j.

8878201

UD-105

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)		TELEPHONE NO.	FOR COURT USE ONLY
<b>SHARON BRIGGINS</b> <b>111 Pineda Street #7</b> <b>SAN LEANDRO, CA 94577</b> <b>ATTORNEY FOR (Name): IN PRO PER</b>		<b>FILED</b> <b>ALAMEDA COUNTY</b> <b>AUG 08 2010</b> <b>CLERK OF THE SUPERIOR COURT</b> <b>By: [Signature]</b> <b>CASE NUMBER</b> <b>HG10527647</b>	
<b>NAME OF COURT:</b> Superior Court of California, County of Alameda <b>STREET ADDRESS:</b> County of Alameda <b>MAILING ADDRESS:</b> 24665 Alameda Street <b>CITY AND ZIP CODE:</b> Hayward, CA 94544 <b>BRANCH NAME:</b>			
<b>PLAINTIFF:</b> Roger & MARY DONNA <b>DEFENDANT:</b> SHARON BRIGGINS			
<b>ANSWER—Unlawful Detainer</b>			

1. Defendant (names): **SHARON BRIGGINS**

answers the complaint as follows:

2. Check ONLY ONE of the next two boxes:

a.  Defendant generally denies each statement of the complaint. (Do not check this box if the complaint demands more than \$1,000.)

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Continued on Attachment 2b (2).

3. AFFIRMATIVE DEFENSES (NOTE: For each box checked, you must state brief facts to support it in the space provided at the top of page two (Item 3j)).

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c.  (nonpayment of rent only) On (date): before the notice to pay or quit expired, defendant offered the rent due but plaintiff would not accept it.

d.  Plaintiff waived, changed, or canceled the notice to quit.

e.  Plaintiff served defendant with the notice to quit or filed the complaint to retaliate against defendant.

f.  By serving defendant with the notice to quit or filing the complaint, plaintiff is arbitrarily discriminating against the defendant in violation of the Constitution or laws of the United States or California.

g.  Plaintiff's demand for possession violates the local rent control or eviction control ordinance of (city or county, title of ordinance, and date of passage):

(Also, briefly state the facts showing violation of the ordinance in Item 3j.)

h.  Plaintiff accepted rent from defendant to cover a period of time after the date the notice to quit expired.

i.  Other affirmative defenses are stated in item 3j.

\*8678201\*

UD-105

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)		TELEPHONE NO.	FOR COURT USE ONLY
<b>SHARON BRIGGREN</b> 111 PREDA STREET #7 SAN LEANDRO, CA 94577 ATTORNEY FOR (Name) <b>IN PRO PER</b>		<b>FILED</b> <b>ALAMEDA COUNTY</b> <b>AUG 0 8 2010</b> <b>CLERK OF THE SUPERIOR COURT</b> <b>By: [Signature]</b> <b>RECEIVED</b> <b>CASE NUMBER</b> <b>HG10527647</b>	
NAME OF COURT: Superior Court of California, Limited Ju STREET ADDRESS: County of Alameda MAILING ADDRESS: 24405 Amador Street CITY AND ZIP CODE: Hayward, CA 94544 BRANCH NAME:			
PLAINTIFF: Roger & MARY TONNA DEFENDANT: <b>SHARON BRIGGREN</b>			
ANSWER—Unlawful Detainer			

1. Defendant (names): **SHARON BRIGGREN**

answers the complaint as follows:

2. Check ONLY ONE of the next two boxes:

a.  Defendant generally denies each statement of the complaint. (Do not check this box if the complaint demands more than \$1,000.)

b.  Defendant admits that all of the statements of the complaint are true EXCEPT

(1) Defendant claims the following statements of the complaint are false (use paragraph numbers from the complaint or explain). The defendant agreed with Plaintiff, the Plaintiff breached an ORAL agreement, waived the right to vacate.

Continued on Attachment 2b (1).

(2) Defendant has no information or belief that the following statements of the complaint are true, so defendant denies them (use paragraph numbers from the complaint or explain):

Continued on Attachment 2b (2).

3. AFFIRMATIVE DEFENSES (NOTE: For each box checked, you must state brief facts to support it in the space provided at the top of page two [item 3].)

a.  (nonpayment of rent only) Plaintiff has breached the warranty to provide habitable premises.

b.  (nonpayment of rent only) Defendant made needed repairs and properly deducted the cost from the rent, and plaintiff did not give proper credit.

c.  (nonpayment of rent only) On (date): before the notice to pay or quit expired, defendant offered the rent due but plaintiff would not accept it.

d.  Plaintiff waived, changed, or canceled the notice to quit.

e.  Plaintiff served defendant with the notice to quit or filed the complaint to retaliate against defendant.

f.  By serving defendant with the notice to quit or filing the complaint, plaintiff is arbitrarily discriminating against the defendant in violation of the Constitution or laws of the United States or California.

g.  Plaintiff's demand for possession violates the local rent control or eviction control ordinance of (city or county, title of ordinance, and date of passage):

(Also, briefly state the facts showing violation of the ordinance in item 3.)

h.  Plaintiff accepted rent from defendant to cover a period of time after the date the notice to quit expired.

i.  Other affirmative defenses are stated in item 3.

16

SUPERIOR COURT  
CITY & COUNTY OF SAN FRANCISCO  
SETTLEMENT CONFERENCE HEARING  
HAYES VALLEY LIMITED PARTNERSHIP

(PLAINTIFF(S))

SHARON BRIDGEWATER, ET AL

CASE NO. 617995  
LINE #1

(DEFENDANT(S))

Appearances:

SHAWN BANKSON

For Plaintiff: J. Croson, Esq.

PRO PER

For Defendant:

Nature of Action:

Amount of Prayer: \$ 2:45 PM

Plaintiff's Demand: \$ EITHER ① MOVE OUT w/ 90-DAY WINDOW OR  
② FULL PAYMENT OF ALL BACK RENT PLUS ATTORNEYS FEE AS consideration

Defendant's Offer: \$

Residual:

Specials:

Court suggested settlement figure: \$

AT 3:30 PM that offer has  
been raised to 60-Day MOVETRIAL DATA:Case is set for JURY-COURT trial on

FEB 19

2008

at 9:00 A.M., Courtroom 206, 400 McAllister Street

OUT, ACCOUNTING  
OF DEPOSIT WITH  
ANY SUM RETURNED  
ACCORDING TO LAW.

Time estimated for trial:

Court trial for assessment of damages only: YES - NO

Names of Judges on panel for court trial:

Stipulation entered as to 8 person jury: YES - NO

BAJI instruction numbers submitted:

Sanctions to be imposed if settled after 10:00 A.M.

ON CALENDAR Will Chen  
Judge Presiding, Settlement Hearing

WILLIAM F. CHEN

1       Request No. 2: Defendants request the Court to take judicial notice of Defendants  
2 Roger and Mary Tonna's small claims judgment against Plaintiff Sharon Bridgewater in  
3 the case of Bridgewater v. Tonna, Alameda County Small Claims No. HS10-520747. A  
4 certified copy of same is attached hereto as Exhibit #B.

6       Request No. 3: Defendants request the Court to take judicial notice of Defendants  
7 Roger and Mary Tonna's complaint in unlawful detainer against Plaintiff Sharon  
8 Bridgewater, in the case of Tonna, et al v. Bridgewater, Alameda County Superior Court,  
9 Case No. HG10-527647. A certified copy of same is attached hereto as Exhibit #C.

11       Request No. 4: Defendants request the Court to take judicial notice of Plaintiff  
12 Sharon Bridgewater's answer to said unlawful detainer complaint in the case of Tonna, et  
13 al v. Bridgewater, Alameda County Superior Court, Case No. HG10-527647. A certified  
14 copy of same is attached hereto as Exhibit #D.

15       Request No. 5: Defendants request the Court to take judicial notice of Defendants  
16 Roger and Mary Tonna's judgment in unlawful detainer against Plaintiff Sharon  
17 Bridgewater, in the case of Tonna, et al v. Bridgewater, Alameda County Superior Court,  
18 Case No. HG10-527647. A certified copy of same is attached hereto as Exhibit #E.

20       Request No. 6: Defendants request the Court to take judicial notice of Plaintiff  
21 Sharon Bridgewater's appeal from the unlawful detainer judgment taken against her, in  
22 the case of Tonna, et al v. Bridgewater, Alameda County Superior Court, Case No.  
23 HG10-527647. A certified copy of same is attached hereto as Exhibit #F.

25            //

27            //