

ADD #18

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8/13.

1 Eugene E. Forte
688 Birch Court
2 Los Banos, CA, 93635
Telephone: (209) 829-1116
3 Facsimile: (209) 829-1952

4 In Propria Persona
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7 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF MONTEREY**
9

10 EUGENE FORTE,
11 Plaintiff,

12 vs.

14 TOMMY JONES, et al.
15
16 Defendant.
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Case No. CU150880

**AMENDED NOTICE OF MOTION
FOR LEAVE TO FILE PLAINTIFF'S
FIRST AMENDED COMPLAINT**

**Date: September 12, 2008
Time: 8:15 a.m.
Dept: Law and Motion
Trial: December 16, 2008**

19 TO EACH PARTY AND ATTORNEY OF RECORD IN THIS ACTION:

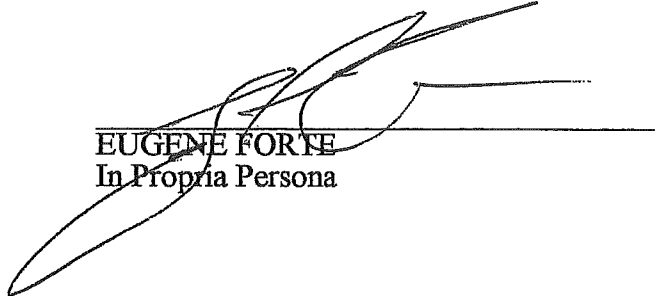
20 PLEASE TAKE NOTICE THAT on September 12, 2008 at 8:15 a.m., or as soon
21 thereafter as this matter can be heard, Plaintiff Eugene Forte will move this Court in the Law &
22 Motion Department thereof, at the Merced County Superior Court, 627 W. 21st Street, Merced,
23 California for an order permitting Plaintiff to file a First Amended Complaint which will be
24 attached to the Motion. This motion will be made upon the ground that it is in furtherance of
25 justice to allow the filing of such Amended Complaint, and will be based upon this notice, points
26 and authorities, the Declaration of Eugene Forte, the pleadings and files herein, any other motion
27 documents, and any additional evidence and argument as may be presented before or at the

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1 hearing on this Motion.

2 Dated: August 13, 2008

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EUGENE FORTE
In Propria Persona

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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF MERCED)

ss.

I, the undersigned, declare that I am employed in the County of Merced, State of California; I am over the age of 18 years and not a party to the within action; my business address is 688 Birch Court, Los Banos, California, 93635.

On August 13, 2008, I served the foregoing **NOTICE OF MOTION FOR LEAVE TO FILE PLAINTIFF'S FIRST AMENDED COMPLAINT** on the parties in this action by:

_____ personal service on the below-named party(ies) at the address(es) given.

_____ Facsimile machine pursuant to Rule 2008. Said document was sent to the below listed party(ies). The fax number I used was: (209) 829-1952. The facsimile machine I used complied with Rule 2004, and no error was reported by the machine. Pursuant to Rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

 x depositing the sealed envelope(s) with the United States Postal Service with postage fully prepaid.

_____ placing a true copy thereof enclosed in a postage prepaid and sealed envelope for deposit, collection and mailing on the date and at the place shown above following this firm's ordinary business practices. I am readily familiar with this firm's business practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service at Monterey, California, and it was addressed as follows:

Mr. Benjamin L. Ratliff, Esq.
The Law Firm of Weakley, Ratliff, Arendt, & McGuire, LLP
1630 East Shaw Avenue, Suite 176
Fresno, CA 93710

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 13, 2008, in Los Banos, California.



EILEEN FORTE