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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

F I L E D

AUG 30 2004

EUGENE FORTE,

Plaintiff and Appellant,

v.

LARRY LICHTENEGGER,

Defendant and Respondent.

H026208

(Monterey County
Super. Ct. No. M58208)

Court of Appeal - Sixth App. Dist

DEPUTY

STATEMENT OF THE CASE

Plaintiff Eugene Forte appeals from a judgment entered after the trial court sustained defendant Larry Lichtenegger's demurrer without leave to amend. On appeal, he claims that the demurrer was defective and that the court erred in sustaining it without leave to amend. We reverse the judgment.

BACKGROUND

In March 2000, Lichtenegger, an attorney, and Forte entered an agreement, under which Lichtenegger undertook to represent Forte in three lawsuits: *Eugene Forte v. William Powell et al.* (Monterey County Super. Ct. No. M45327) (*Powell* lawsuit); *Young & Roehr v. Forte Resources et al.* (Multnomah County, Ore. Circuit Ct. No. 9911-12338)