

**COPY**

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

EUGENE FORTE,

Plaintiff and Appellant,

v.

LARRY LICHTENEGGER et al.,

Defendant and Respondent.

H029276

(Monterey County

Super. Ct. No. M70711)

Court of Appeal - Sixth App. Dist.  
**FILED**

NOV 15 2016

MICHAEL J. YERLY, Clerk

By \_\_\_\_\_  
DEPUTY

**STATEMENT OF THE CASE**

Plaintiff Eugene Forte filed a complaint against defendant Larry Lichtenegger for professional malpractice. The trial court sustained Lichtenegger's demurrer without leave to amend, finding the action barred by the one-year statute of limitations. (Code of Civ. Proc., § 340.6.)<sup>1</sup> Forte appeals from the judgment. He claims the court abused its discretion in sustaining the demurrer.

We reverse the judgment.

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<sup>1</sup> Unless otherwise specified, all further statutory references are to the Code of Civil Procedure.