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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

FEB 05 2016

BY *Victoria Sanchez*
VICTORIA SANCHEZ, DEPUTY

1 **BERGMAN & GUTIERREZ LLP**
2 PENELOPE P. BERGMAN, ESQ., SBN 220452
3 penelope@b-g-law.com
4 DEBORAH P. GUTIERREZ, ESQ., SBN 240383
5 deborah@b-g-law.com
6 ROBERT PAREDES, ESQ., SBN 255329
7 robert@b-g-law.com
8 880 Apollo Street, Suite 334
9 El Segundo, CA 90245
10 T: (310) 893-6200; F: (310) 988-2930

11 Attorneys for Plaintiffs,
12 Teddy Nazim, individually and
13 as attorney-in-fact for Maria Nazim

14 **SUPERIOR COURT OF CALIFORNIA**
15 **COUNTY OF SAN BERNARDINO**

16 TEDDY NAZIM, individually and as attorney-
17 in-fact for MARIA NAZIM,

18 Plaintiffs,

19 vs.

20 BANK OF AMERICA, N.A.; and Does 1 – 100,
21 inclusive,

22 Defendants.

Case No. CIVDS1514367

**NOTICE OF RULING ON PLAINTIFFS'
DEMURRER TO DEFENDANT'S
ANSWER**

Judge: Hon. Wilfred J. Schneider, Jr.
Dept.: S32
Date: February 3, 2016
Time: 8:30 a.m.

Complaint Filed: September 30, 2015
Trial Date: None Scheduled

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on February 3, 2016 at 8:30 a.m. in Department S32 of the
3 above entitled Court, plaintiffs Teddy and Maria Nazim's ("Plaintiffs") Demurrer to defendant Bank of
4 America, N.A.'s ("Defendant") Answer came on for hearing as noticed. Robert Paredes, Esq. appeared
5 on behalf of Plaintiffs. E. Christine Hehir, Esq. appeared on behalf of Defendant.

6 The Court, having considered the written statements and oral argument of the parties in support
7 and opposition to the Demurrer ordered the following:

- 8 1) The demurrers to Defendant's affirmative defenses 2 through 11 and 13 through
9 17 are sustained with leave to amend.
- 10 2) The demurrer to Defendant's eighteenth affirmative defense is sustained without
11 leave to amend.
- 12 3) The demurrer to Defendant's twelfth affirmative defense is overruled.
- 13 4) Defendant shall file an Amended Answer within 20 days of the hearing on
14 Plaintiffs' Demurrer.

15
16 Dated: February 3, 2016

BERGMAN & GUTIERREZ LLP

17
18 By: 

19 _____
20 Penelope P. Bergman
21 Deborah P. Gutierrez
22 Robert Paredes
23 Attorneys for Plaintiffs,
24 Teddy Nazim, individually and
25 as attorney-in-fact for Maria Nazim
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PROOF OF SERVICE

Nazim v. Bank of America, N.A., et al.
San Bernardino Superior Court
Case CIVDS1514367

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 880 Apollo Street, Suite 334, El Segundo, CA 90245. On February 4, 2016, I served the following document(s) by the method indicated below:

NOTICE OF RULING ON PLAINTIFFS' DEMURRER TO DEFENDANT'S ANSWER

- by transmitting via facsimile on this date from fax number (310) 988-2930 the documents listed above to the fax number(s) set forth below. The transmission was completed before 5:00 p.m. and was reported complete and without error.
- by placing the document(s) listed above in a sealed envelope via U.S. Mail with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit in this Declaration.
- by placing the documents(s) listed above in sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below. A signed proof of service by the process server or delivery service will be filed shortly.
- by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below. A copy of the consignment slip is attached to this proof of service.

E. Christine Hehir
McGuireWoods LLP
1800 Century Park East
8th Floor
Los Angeles, CA 90067

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on February 4, 2016, at El Segundo, California.



Monica Caseres