

CASCS127904-03

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{56320}{54-041118:184733}{101404}

MOTION

S127904

IN THE SUPREME COURT OF CALIFORNIA

BALBOA ISLAND VILLAGE INN, INC.

Plaintiff/Respondent/Petitioner

vs.

ANNE LEMEN

Defendant/Appellant

**After a Decision By The Court of Appeal
Fourth Appellate District, Division Three
Case Number G031636
Orange County Superior Court Case Number 01 CC 13243**

APPLICATION TO FILE LATE ANSWER

**D. Michael Bush, State Bar Number 101601
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Costa Mesa, California 92626
(714) 501-1148**

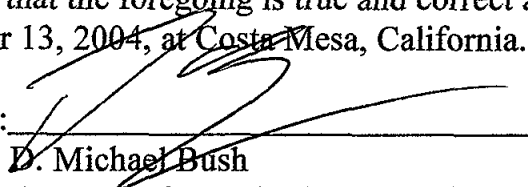
**Attorneys for Defendant/Appellant/Respondent Petitioner
ANNE LEMEN**

I D. Michael Bush declare as follows:

1. I don't have much experience in the area of appellate law and didn't understand that this answer had to be filed on October 12, 2004.
2. I request that this answer be accepted by this court.

I declare under penalty of perjury that the foregoing is true and correct and that this verification was executed on October 13, 2004, at Costa Mesa, California.

BY: _____


D. Michael Bush
Attorneys for Defendant/Appellant
ANNE LEMEN

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF ORANGE

I, D. Michael Bush , declare:

I am employed in the County of Orange, State of California. I am over the age of eighteen years and not a party to the within entitled action. My business address is 2973 Harbor Boulevard, Suite 480, Costa Mesa, Ca. 92626. On October 14 , 2004, I served the following document(s):

REPLY TO PETITION TO REVIEW

in the case entitled: Balboa Island Village Inn vs. Lemen, et al., Court of Appeals Case Number G031636; Orange County Superior Court case number 01 CC 13243, on the interested parties through their attorneys of record by placing a true and correct copy thereof addressed as shown on the attached service list, as designated below:

(X) BY FIRST CLASS MAIL (C.C.P. § 1013a, et seq.):

I caused said documents(s) to be deposited in the United States mail in a sealed envelope with postage fully prepaid at Anaheim, California, following the ordinary practice at my place of business of collection and processing of mail on the same day as shown as this declaration.

J. Scott Russo, Esq.
DUBIA, ERICKSON, TENERELLI & RUSSO

Clerk of the Court
California Court of Appeals

The Hon. Judge Gerald G. Johnson
Judge of the Superior Court

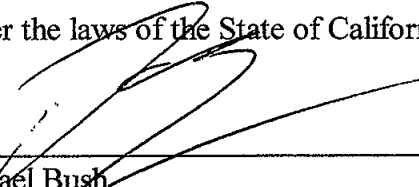
(X) BY HAND DELIVERY/PERSONAL SERVICE (C.C.P. § 1011, et seq.)

I caused said documents(s) to be delivered to:

Clerk's Office
California Supreme Court

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

DATED:October 14, 2004

BY: 
D. Michael Bush

BALBOA ISLAND VILLAGE INN, et al. vs. LEMEN, et al.
Court of Appeals Case Number G031636
OCSC Case Number 01 CC 13243

“SERVICE LIST”

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Fourth Appellate District, Division Three
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The Hon. Judge Gerald G. Johnson
Judge of the Superior Court
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