

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

RAYMOND J. LEE 219811

ZWICKER & ASSOCIATES, P.C.
199 S. LOS ROBLES AVE., SUITE 410
PASADENA, CA 91101

TELEPHONE: (626) 793-9703

ATTORNEY FOR: PLAINTIFF

OCSC CENTRAL/UNLIMITED

STREET ADDRESS: per rule 2.150 (a)(8):

MAILING ADDRESS: the address of the court is not required

CITY AND ZIP CODE:

BRANCH NAME:

FOR COURT USE ONLY

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

DEC 02 2009

CLAY CARLSON, Clerk of the Court

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Plaintiff AMERICAN EXPRESS CENTURION BANK
Defendant GARCIA

CASE NUMBER:
30-200900317757
Clk. Ref. or File No.:
860439-46007

PROOF OF SERVICE OF SUMMONS

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of:

SUMMONS; COMPLAINT; ADR PACKAGE; CIVIL DEPARTMENT CALENDAR SCHEDULING CHART

3. a. Party served

JOHN GARCIA, AN INDIVIDUAL

b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):

4. Address where the party was served: 17602 17TH ST STE 102-114
Tustin, CA 92780

5. I served the party (check proper box)

b. by substituted service. On (date): 11/16/09 at (time): 3:45 pm I left the documents listed in item 2 with in the presence of:

JOHN "DOE" (REFUSED TO GIVE NAME OR SHOW ID), MANAGER (PERSON APPARENTLY IN CHARGE
Description: CAUCASIAN, Male, 55+ yrs old, 5' 8" tall, 165 lbs., BROWN hair,

(3) (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.

(4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., 415.20). I mailed the documents on (date): 11/17/09 from (city): TUSTIN or a declaration of mailing is attached.

(5) I attach a declaration of diligence stating actions taken first to attempt personal service.



Plaintiff
Defendant

AMERICAN EXPRESS CENTURION BANK
GARCIA

CASE NUMBER:
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c. by mail and acknowledgment of receipt of service, I mailed the documents listed in item 2 to the party, to the address shown in Item 4, by first-class mail, postage prepaid.

(1) on (date):

(2) from (city):

(3) with two copies of the Notice and Acknowledgment of Receipt (form 982(a)(4) and a postage paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt (form 982(a)(4).) (Code of Civ. Proc., 415.30).)

(4) to an address outside California with return receipt requested.
(Code Civ. Proc., 415.40)

d. by other means specify means of service and authorizing code section):

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. as an individual defendant.

b. as the person sued under the fictitious name of (specify):

c. as occupant/tenant.

d. on behalf of:

under the following Code of Civil Procedure section:

<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> 416.60 (minor)
<input type="checkbox"/> 416.20 (defunct corporation)	<input type="checkbox"/> 416.70 (ward or conservatee)
<input type="checkbox"/> 416.30 (joint stock or company association)	<input type="checkbox"/> 416.90 (authorized person)
<input type="checkbox"/> 416.40 (association or partnership)	<input type="checkbox"/> 415.46 (occupant/tenant)
<input type="checkbox"/> 416.50 (public entity)	<input type="checkbox"/> other:
<input type="checkbox"/> CCP 415.95 (business organization, form unknown)	

7. Person who served papers

a. Name: L. NEMETH

b. Address: 7124 Owensmouth Ave., #106, Canoga Park CA 91303

c. Telephone number: (818) 763-6931

d. The fee for service was: \$ 54.00 (recoverable under CCP1033.5(a)(4)(B))

e. I am:

(1) not a registered California process server.

(2) exempt from registration under Business and Professions Code Section 22350(b).

(3) registered California process server:

(i) Owner Employee Independent contractor.

(ii) Registration No.: 1482

(iii) County: ORANGE

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

or

9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 11/18/09

L. NEMETH

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

FOR COURT USE ONLY

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

RAYMOND J. LEE 219811

ZWICKER & ASSOCIATES, P.C.
199 S. LOS ROBLES AVE., SUITE 410
PASADENA, CA 91101

TELEPHONE: (626) 793-9703

ATTORNEY FOR (Name): PLAINTIFF

OCSC CENTRAL/UNLIMITED

STREET ADDRESS: per rule 982.9 (a)(8):

MAILING ADDRESS: the address of the court is not required

CITY AND ZIP CODE:

BRANCH NAME: OCSC CENTRAL/UNLIMITED

Plaintiff AMERICAN EXPRESS CENTURION BANK
Defendant GARCIA

CASE NUMBER:
30-200900317757

Ref. or File No.:
12-09B41023

Declaration of Diligence

I received the within process on 11/06/09 and that after due and diligent effort, I have been unable to effect personal service on the within named party. Dates and times of attempts with reported details are listed below. Costs for diligence pertaining to substituted service is recoverable under C.C.P. 1033.5(a)(4)(B).

Servee: JOHN GARCIA, AN INDIVIDUAL

Home address:

Business address: 17602 17TH ST STE 102-114
Tustin, CA 92780

- 11/07/09 10:50am GIVEN ADDRESS IS A PRIVATE MBC. SUBJECT NOT AT THE MBC AT THE TIME OF ATTEMPT. BUSINESS NAME IS "POSTAL ANNEX"
- 11/10/09 1:30pm GIVEN ADDRESS IS A PRIVATE MBC. SUBJECT NOT AT THE MBC AT THE TIME OF ATTEMPT
- 11/13/09 4:21pm GIVEN ADDRESS IS A PRIVATE MBC. SUBJECT NOT AT THE MBC AT THE TIME OF ATTEMPT
- 11/16/09 3:45pm SUBSTITUTED SERVICE

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

Person serving (name, address, and telephone No.):

20005
L. NEMETH
7124 Owensmouth Ave., #106,
Canoga Park CA 91303
(818) 763-6931

Fee for service: \$ 54.00
(recoverable per C.C.P. 1033.5(a)(4)(B))
 Not a registered California process server.
 Exempt from registration under B&P 22350(b).
 Registered California process server.
(1) Employee or independent contractor.
(2) Registration No.: 1482
(3) County: ORANGE

Date: 11/18/09

(Signature)