

**SUMMONS
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

CITY OF RIALTO

CITY OF RIALTO; and DOES 1 through 50, inclusive 2017 DEC 21 PM 2:21

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

MARK HORVATH

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 21 2017

RECEIVED
CITY CLERK

BY Leanne M. Landeros
LEANNE M. LANDEROS, DEPUTY

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Superior Court of CA - San Bernardino
Civil Division of the San Bernardino District
247 West Third Street, San Bernardino, CA 92415-0210

CASE NUMBER:
(Número del Caso):

CIVDS1725400

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Mark Horvath, P.O. Box 7223 Orange, CA 92863, Phone: (714) 969-4963

DATE: **DEC 21 2017**
(Fecha)

Clerk, by LEANNE M. LANDEROS, Deputy
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

- as an individual defendant.
- as the person sued under the fictitious name of (specify):
- on behalf of (specify): City of Rialto
under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
- by personal delivery on (date): 12/21/2017

1 MARK HORVATH
P.O. Box 7223
2 Orange, CA 92863
Phone: (714) 969-4963
3 Email: tiebowoc@aol.com

CITY OF RIALTO
2017 DEC 21 PM 2: 22

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

DEC 21 2017

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BY Leanne M. Landeros
LEANNE M. LANDEROS, DEPUTY

4 IN PRO PER

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN BERNARDINO

10 MARK HORVATH

11 Plaintiff,

12 vs.

13 CITY OF RIALTO and DOES 1 through 50,
14 inclusive,

15 Defendant(s).

Case No.: CIVDS1725400

**VERIFIED COMPLAINT FOR:
VIOLATION OF 5TH AND 14TH
AMENDMENT RIGHTS, DUE PROCESS;
LACK OF NOTICE; REGULATORY
TAKING; INVERSE CONDEMNATION**

18
19 COMES NOW THE PLAINTIFF MARK HORVATH, an individual and for causes of action
20 against DEFENDANTS CITY OF RIALTO, a municipal corporation and DOES 1 through 50,
21 inclusive, and complains and alleges as follows:

22 **GENERAL ALLEGATIONS**

23 1. Plaintiff Mark Horvath acting trustee for Airport Industrial Land Trust (hereafter Hovarth
24 or Plaintiff) is an individual who at all relevant times herein resided in the City of Orange, County
25 of Orange, State of California.

1 2. Defendant, City of Rialto (hereinafter Defendant) at all times mentioned is believed to be
2 a California municipal corporation, authorized to do business in this judicial district with the nearest
3 office address of 150 S. Palm Ave., Rialto, CA 92376

CITY OF RIALTO
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4 3. Defendants, Does 1 through 50, inclusive are individuals who at all relevant times are
5 believed to be authorized to do business in this judicial district.

6 4. The true names and capacities of Defendants 1 through 50, inclusive, are unknown to
7 Plaintiff who therefore sues said Defendants by such fictitious names. When the true names and
8 capacities of these Defendants are known, Plaintiff will seek leave of court to amend this Complaint
9 accordingly. Plaintiff is informed and believes, and thereon alleges, that the acts and omissions of
10 fictitious Defendants were and are a proximate cause of damage to Plaintiff as described below.

11 5. All of the acts complained of herein occurred within the City of Rialto, County of San
12 Bernardino, and State of California.

13 6. Plaintiff is informed and believes, and thereon alleges, that at all times herein mentioned,
14 in committing the acts and omissions described below, each Defendant was acting as the agent,
15 servant, and employee of each other Defendant, in the course and scope of his, her, or its agency
16 and employment, and with knowledge, consent and ratification of each other Defendant.

17 7. At all times mentioned herein, Defendants and Does 1 through 50, each of them the
18 agents, servants, and alter-egos of each other, and as such, the acts of one Defendant are considered
19 the acts of all Defendants. Plaintiff is informed and believes, and thereon alleges, that there is such
20 unity of interests and ownership among these Defendants that separate corporate status no longer
21 exists, and further, observance of the fiction of separate existence among these Defendants would
22 sanction fraud and promote injustice.

23 8. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned herein,
24 Defendants Does 1 through 50, inclusive, and each of them, were agents, officers, directors,
25 managing agents and/or supervising employees of the other Defendants, and in performing the acts
26 hereinafter alleged, were acting within the course and scope of said agency and employment.
27 Plaintiff is further informed and believes, and thereon alleges, that Defendant and Does 1 through
28

1 50, and each of them, authorized, aided, abetted, incited, compelled, ratified, and coerced the
2 unlawful acts as alleged below.

3 9. On 9/12/2003 an Industrial Property was Granted to Airport Industrial Trust utd July 1,
4 2003, Mark Horvath, Trustee, (Plaintiff).

5 10. The Industrial Property is a vacant 3.07-acre lot located at 0 Fitzgerald Dr., Rialto, CA
6 APN: 0264-212-27. Described as: Parcel 1 of Parcel Map No. 5343, in the City of Rialto, County of
7 San Bernardino, State of California, as per map recorded in Book 56, page(s) 86, of Parcel Maps, in
8 the office of the County Recorder of said County (herein after Fitzgerald Property).

9 11. On or about 5/20/2017 the Plaintiff contacted a local realtor, Ryan Earnhart (hereafter
10 Mr. Earnhart) employed by Lee & Associates Commercial Real Estate Services located at 3535
11 Inland Empire Blvd., Ontario, CA 91764, to inquire and research with the city of Rialto as to what
12 developing options were available with regards to the Fitzgerald Property.

13 12. After trying to make contact several times with the Defendant(s), the Plaintiff and Mr.
14 Earnhart received information as to the person(s) that need to be contacted within the city who
15 oversee commercial development.

16 13. On or about 6/8/2017 the Plaintiff and Mr. Earnhart contacted Robb Steel, Assistant City
17 Administrator Development Services Director of the city of Rialto (hereafter Mr. Steel) and
18 presented the concept of a Trailer Park development for the Fitzgerald Property.

19 14. On or about 6/15/2017 Plaintiff and Mr. Earnhart received information from Gina
20 Gibson, City Development Services (Planning) stating the city regulation and ordinance in reference
21 and CDP and PPD Entitlement Application in response to the Trailer Park concept for the Fitzgerald
22 Property.

23 15. On or about 8/23/2017 the Plaintiff received from Mr. Steel a Legislation Detail (WITH
24 TEXT) of an Urgency Ordinance Amendment, detailing an ordinance of the city of Rialto adopting
25 an Amendment to Title 18 Municipal Code regulating Outdoor Storage Land uses dated 8/23/2016,
26 which discouraged Plaintiff's Trailer Park concept.

1 in the same likeness and price. Thus, the Plaintiff's full damages are subject to proof at trial.
2 However, the Plaintiff has been informed, advised, and believes that said damages could reasonably
3 cost about \$1,812,000.00 (One Million Eight Hundred and Twelve Thousand dollars).

4 **SECOND CAUSE OF ACTION**

5 (VIOLATION OF 14TH AMENDMENT RIGHT)

6 Plaintiff incorporates the allegations contained above in paragraphs 1 through 22 inclusive.

7 23. Plaintiff further alleges that the allegations set forth above do constitute a violation of
8 the Plaintiff's 14th Amendment Rights. **The 14th Amendment in pertinent part:** "No state shall
9 make or enforce any law which shall abridge the privileges or immunities of citizens of the United
10 States, nor shall any state deprive any person of life, liberty, or property, without due process of
11 law, nor deny any person within its jurisdiction the equal protection of the laws."

12 24. When the Defendant(s) allowed the zone change effecting the Fitzgerald Property prior
13 to providing the Plaintiff of any information or notice did violate or deprive the Plaintiff of life,
14 liberty, and property, without due process of law and denial of equal protection of the law.

15 **THRID CAUSE OF ACTION**

16 (DUE PROCESS)

17 Plaintiff incorporates the allegations contained above in paragraphs 1 through 24 inclusive.

18 25. Plaintiff further alleges that the allegations set forth above constitute a violation of Due
19 Process.

20 **FOURTH CAUSE OF ACTION**

21 (LACK OF NOTICE)

22 Plaintiff incorporates the allegations contained above in paragraphs 1 through 25 inclusive.

23 26. Plaintiff further alleges that the allegations set forth above constitute cause for Lack of
24 Notice. Notice is an essential element of Due Process. The concept of notice is critical to the
25 integrity of all legal proceedings including the Defendant's proceedings in which they decided to
26 complete a zone change that would have an adverse effect on private property, which is the case of
27 the Plaintiff's Fitzgerald Property.

1 economically beneficial use of his property therefore constituting a Regulatory Taking by the
2 Defendant(s).

3 **SIXTH CAUSE OF ACTION**

4 (INVERSE CONDEMNATION)

5 Plaintiff incorporates the allegations contained above in paragraphs 1 through 31 inclusive.

6 32. Plaintiff further alleges that the allegations set forth above constitute Inverse
7 Condemnation. No private property shall be taken for public use, without just compensation.

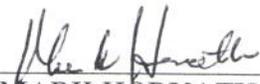
8 33. Even after the new zone change that would affect the Plaintiff's Fitzgerald Property had
9 been completed, the Defendant(s) never offered or has given any compensation for the taking of the
10 Plaintiff's Fitzgerald Property. The taking is by way of a zone change that has now deprived the
11 Plaintiff of all economically beneficial use or original plans for his Property. Therefore, the Plaintiff
12 must receive just compensation.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff prays for judgement against Defendant(s):

- 15 1. Defendant(s) be ordered to reverse the zone use of the Fitzgerald Property to its original
16 zone use as an Industrial Property;
- 17 2. In the event the Defendant(s) refuse to revert the Fitzgerald Property back to its original
18 zone use, the Defendant(s) compensate the Plaintiff for the taking of his property in the
19 amount of \$1,812,000.00 (One Million Eight Hundred and Twelve Thousand dollars) which
20 is the difference in the amount the property could be sold for per square foot from an
21 Industrial Property to a Residential Property;
- 22 3. For punitive damages and legal interest as applicable;
- 23 4. For attorney's fees, expert fees and expenses pursuant to statute;
- 24 5. For costs; and
- 25 6. For any further relief that the court may deem just and proper.

26
27 DATED:



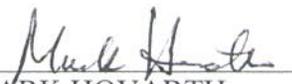
MARK HORVATH TRUSTEE
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VERIFICATION

I, Mark Hovarth, hereby declare that I have read the foregoing Complaint of Mark Hovarth against the city of Rialto and Does 1 through 50, inclusive, and know its contents. I am informed and believe, and on that ground, allege that the matters stated in the Verified Complaint are true. I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

DATED: December 20, 2017



MARK HOVARTH
MARK HORVATH

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): MARK HORVATH P.O. Box 7223 Orange, CA 92863 TELEPHONE NO.: (714) 969-4963 FAX NO.: ATTORNEY FOR (Name):	FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT DEC 21 2017 BY <i>Leanne M. Landeros</i> LEANNE M. LANDEROS, DEPUTY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: 247 West Third Street MAILING ADDRESS: CITY AND ZIP CODE: San Bernardino, CA 92415-0210 BRANCH NAME: Civil Division of the San Bernardino District	CASE NUMBER: CIVDS1725400 JUDGE: DEPT:
CASE NAME: HORVATH v. CITY OF RIALTO	CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input checked="" type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify): **6**
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date:
Mark Horvath

(TYPE OR PRINT NAME)


 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

<p>Auto Tort</p> <ul style="list-style-type: none"> Auto (22)—Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (<i>if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto</i>) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <ul style="list-style-type: none"> Asbestos (04) <ul style="list-style-type: none"> Asbestos Property Damage Asbestos Personal Injury/Wrongful Death Product Liability (<i>not asbestos or toxic/environmental</i>) (24) Medical Malpractice (45) <ul style="list-style-type: none"> Medical Malpractice—Physicians & Surgeons Other Professional Health Care Malpractice Other PI/PD/WD (23) <ul style="list-style-type: none"> Premises Liability (e.g., slip and fall) Intentional Bodily Injury/PD/WD (e.g., assault, vandalism) Intentional Infliction of Emotional Distress Negligent Infliction of Emotional Distress Other PI/PD/WD <p>Non-PI/PD/WD (Other) Tort</p> <ul style="list-style-type: none"> Business Tort/Unfair Business Practice (07) Civil Rights (e.g., discrimination, false arrest) (<i>not civil harassment</i>) (08) Defamation (e.g., slander, libel) (13) Fraud (16) Intellectual Property (19) Professional Negligence (25) <ul style="list-style-type: none"> Legal Malpractice Other Professional Malpractice (<i>not medical or legal</i>) Other Non-PI/PD/WD Tort (35) <p>Employment</p> <ul style="list-style-type: none"> Wrongful Termination (36) Other Employment (15) 	<p>Contract</p> <ul style="list-style-type: none"> Breach of Contract/Warranty (06) <ul style="list-style-type: none"> Breach of Rental/Lease Contract (<i>not unlawful detainer or wrongful eviction</i>) Contract/Warranty Breach—Seller Plaintiff (<i>not fraud or negligence</i>) Negligent Breach of Contract/Warranty Other Breach of Contract/Warranty Collections (e.g., money owed, open book accounts) (09) <ul style="list-style-type: none"> Collection Case—Seller Plaintiff Other Promissory Note/Collections Case Insurance Coverage (<i>not provisionally complex</i>) (18) <ul style="list-style-type: none"> Auto Subrogation Other Coverage Other Contract (37) <ul style="list-style-type: none"> Contractual Fraud Other Contract Dispute <p>Real Property</p> <ul style="list-style-type: none"> Eminent Domain/Inverse Condemnation (14) Wrongful Eviction (33) Other Real Property (e.g., quiet title) (26) <ul style="list-style-type: none"> Writ of Possession of Real Property Mortgage Foreclosure Quiet Title Other Real Property (<i>not eminent domain, landlord/tenant, or foreclosure</i>) <p>Unlawful Detainer</p> <ul style="list-style-type: none"> Commercial (31) Residential (32) Drugs (38) (<i>if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential</i>) <p>Judicial Review</p> <ul style="list-style-type: none"> Asset Forfeiture (05) Petition Re: Arbitration Award (11) Writ of Mandate (02) <ul style="list-style-type: none"> Writ—Administrative Mandamus Writ—Mandamus on Limited Court Case Matter Writ—Other Limited Court Case Review Other Judicial Review (39) <ul style="list-style-type: none"> Review of Health Officer Order Notice of Appeal—Labor Commissioner Appeals 	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)</p> <ul style="list-style-type: none"> Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40) Securities Litigation (28) Environmental/Toxic Tort (30) Insurance Coverage Claims (<i>arising from provisionally complex case type listed above</i>) (41) <p>Enforcement of Judgment</p> <ul style="list-style-type: none"> Enforcement of Judgment (20) <ul style="list-style-type: none"> Abstract of Judgment (Out of County) Confession of Judgment (<i>non-domestic relations</i>) Sister State Judgment Administrative Agency Award (<i>not unpaid taxes</i>) Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment Case <p>Miscellaneous Civil Complaint</p> <ul style="list-style-type: none"> RICO (27) Other Complaint (<i>not specified above</i>) (42) <ul style="list-style-type: none"> Declaratory Relief Only Injunctive Relief Only (<i>non-harassment</i>) Mechanics Lien Other Commercial Complaint Case (<i>non-tort/non-complex</i>) Other Civil Complaint (<i>non-tort/non-complex</i>) <p>Miscellaneous Civil Petition</p> <ul style="list-style-type: none"> Partnership and Corporate Governance (21) Other Petition (<i>not specified above</i>) (43) <ul style="list-style-type: none"> Civil Harassment Workplace Violence Elder/Dependent Adult Abuse Election Contest Petition for Name Change Petition for Relief From Late Claim Other Civil Petition
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