

E-FILED

Aug 21, 2014 5:00 PM

David H. Yamasaki

Chief Executive Officer/Clerk

Superior Court of CA, County of Santa Clara

Case #1-13-CV-258281 Filing #G-65423

By M. Rawson, Deputy

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5 Attorneys for Defendant and Cross-Complainant
WESTERN NATIONAL CONSTRUCTION
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF SANTA CLARA**
10

11 CILKER APARTMENTS, LLC,

12 Plaintiff,

13 vs.

14 WESTERN NATIONAL CONSTRUCTION,
MCLARLAND, VARQUEZ & PARTNERS,
15 INC., GROUP M ENGINEERS, GENTRY
ASSOCIATES, CONSTRUCTION
16 CONSULTANTS, LARCO INDUSTRIES,
FITZ PLASTERING, COURTNEY
17 WATERPROOFING, CELL CRETE, LOS
NIETOS CONSTRUCTION, MADERA
18 FRAMING, KELLY DOOR, TARA
COATINGS, LDI, ADM PAINTING,
19 ALLIANCE BUILDING PRODUCT, JOS. J.
ALBANESE, ANDERSON TRUSS,
20 CALIFORNIA CLASSIC PAVERS, CASEY-
FOGIL CONCRETE CONTRACTORS,
21 CENTRAL COAST STAIRS,
COMMERCIAL ROOF MANAGEMENT,
22 DAVEY ROOFING, INC., DEMETRIS
PAINTING II, INC., DOORWAY MFG.,
23 LANDSCAPE PROS, MULTI-BUILDING
STRUCTURES, PARK WEST, PYRAMID
24 BUILDERS, ROBECKS WELDING &
FABRICATION, RYLOCK COMPANY,
25 SUMMIT WINDOW & PATIO DOOR,
VANGUARD AND DOES 1-100, inclusive,

26 Defendants.
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CASE NO. 113CV258281

**APPLICATION OF WESTERN
NATIONAL CONSTRUCTION FOR AN
ORDER TO SERVE SECRETARY OF
STATE ON BEHALF OF LOS NIETOS
CONSTRUCTION AND MULTI-
BUILDING STRUCTURES, INC.**

JUDGE: Hon. James P. Kleinberg
DEPT.: 1
ACTION FILED: December 26, 2013
TRIAL DATE: None Set

APPLICATION OF WESTERN NATIONAL CONSTRUCTION FOR AN ORDER TO SERVE SECRETARY OF
STATE

1 **TO THE COURT, ALL PARTIES, AND TO THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE** that Defendant and Cross-Complainant WESTERN
3 NATIONAL CONSTRUCTION ("Western") hereby submit this Application for Service via
4 Secretary of State re: Los Nietos Construction and Multi-Building Structures, Inc. to the
5 Honorable James P. Kleinberg in Department 1 of the above-entitled court, located at 191 North
6 First Street, San Jose, California. Western will and hereby does move this Honorable Court for an
7 order directing service of Western's Cross-Complaint against Los Nietos Construction and Multi-
8 Building Structures, Inc. through the Secretary of State.

9 This Application shall be based upon this Application, the Declaration of Sandra M.
10 Piedmonte in support thereof, all the files and records of this case, and upon such other and further
11 matters as may be presented to the Court at the time of the hearing.

12
13 DATED: August 20, 2014

GREEN & HALL, A Professional Corporation

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15 By: 

16 Michael J. Pepek

17 Attorneys for Defendant and Cross-Complainant
18 WESTERN NATIONAL CONSTRUCTION
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PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 1851 East First Street, 10th Floor, Santa Ana, CA 92705-4052.

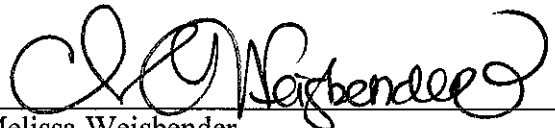
On August 21, 2014, I served the within document(s) described as:

APPLICATION OF WESTERN NATIONAL CONSTRUCTION FOR AN ORDER TO SERVE SECRETARY OF STATE ON BEHALF OF LOS NIETOS CONSTRUCTION AND MULTI-BUILDING STRUCTURES, INC.

BY E-SERVICE: I electronically served the document(s) via Santa Clara County Superior Court's Electronic Filing System on the recipients designated on the transaction receipt located on the Santa Clara County Superior Court's Electronic Filing System website. [See *Transaction Receipt on SCE Filing Website*]

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

Executed on August 21, 2014, at Santa Ana, California.



Melissa Weisbender

GREEN & HALL
ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION