

1 ***{YOUR INFO HERE}***

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3
4 ***{YOUR NAME HERE}***, In Pro Per

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8 **SUPERIOR COURT OF CALIFORNIA**
COUNTY OF *{YOUR COURT}*

9
10
11 ***{JDB HERE}***,

12 Plaintiff,

13 vs.

14 ***{YOUR NAME HERE}***,

15 Defendant

Case No.: ***{YOUR CASE NUMBER}***

**Declaration of Defendant in Support of
Motion in Limine**

Date: October 17th, 2012

Time: 09:00AM

Department: 2

16
17 I, ***{YOUR NAME HERE}***, declare,

- 18 1. I am the defendant in this action. I am of 18 years of age. I have personal knowledge of the
19 facts contained in this declaration. If called upon to testify I could and would testify
20 completely as to the truth of the facts stated here within.
21
- 22 2. I make this declaration in support of my Motion in Limine.
- 23 3. On September 14th, 2012 counsel for Plaintiff, Midland Funding, LLC, served upon me by
24 FedEx, a document titled Affidavit in Lieu of Testimony signed by Ashley Lashinski on
25 September 11th, 2012. A copy of the Affidavit in Lieu of Testimony, without exhibits, is
26 attached to this declaration as Exhibit "A".
27
28

- 1 4. Ashley Lashinski has stated under penalty of perjury that her declaration was executed in St.
2 Cloud, Minnesota on September 11th, 2012.
- 3 5. Among the five different locations Ms. Lashinski stated she would be able to be served 20
4 days before any trial in California 2730 Gateway Oaks, Suite 100, Sacramento, California,
5 95833 was listed. All other addresses listed are greater than 150 miles from this court and thus
6 do not comply with the statute.
- 7
- 8 6. A Civil Subpoena for Appearance at Trial or Hearing for Ashley Lashinski to appear in
9 person to testify was submitted to this court on September 27th, 2012 and given to Sacramento
10 County Sheriff Department civil division for service. A true and correct copy of the Civil
11 Subpoena for Appearance at Trial or Hearing is attached here to as Exhibit "B".
- 12
- 13 7. Sacramento County Sheriff process server attempted service on October 1st, 2012 at 2730
14 Gateway Oaks, Suite 100, Sacramento, California, 95833. Ashley Lashinski was unavailable
15 for service or process at this address. Per Sacramento County Sheriff civil division a copy of
16 the declaration from Sacramento County Sheriff process server is in transit by US Mail at this
17 time and will be available at trial.

18
19 I declare under penalty of perjury under the laws of The State of California that the forgoing is
20 true and correct.

21
22 Respectfully Submitted on this the day of *{DATE}*.

23
24
25
26 _____
27 *{YOUR NAME HERE}*
28 In Pro Per