

1 SPERTUS, LANDES & UMHOFFER, LLP
2 Matthew Donald Umhofer (SBN 206607)
3 Elizabeth A. Mitchell (SBN 251139)
4 617 W. 7th Street, Suite 200
5 Los Angeles, California 90017
6 Telephone: (213) 205-6520
7 Facsimile: (213) 205-6521
8 mumhofer@spertuslaw.com
9 emitchell@spertuslaw.com

10 *Attorneys for Plaintiffs*

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

13 LA ALLIANCE FOR HUMAN
14 RIGHTS, an unincorporated
15 association, JOSEPH BURK,
16 HARRY TASHDJIAN, KARYN
17 PINSKY, CHARLES MALOW,
18 CHARLES VAN SCOY, GEORGE
19 FREM, GARY WHITTER, and
20 LEANDRO SUAREZ, individuals,
21 Plaintiffs,

22 Plaintiffs,

23 v.

24 CITY OF LOS ANGELES, a
25 municipal entity; COUNTY OF LOS
26 ANGELES, a municipal entity; and
27 DOES 1 through 200 inclusive,
28 Defendants.,

Defendants.

CASE NO. 2:20-cv-02291

**NOTICE OF DEFAULT AND
APPLICATION FOR ENTRY
DEFAULT JUDGMENT BY
COURT**

Date: June 7, 2021
Time: 8:30 am
Location: Courtroom 9D

Spertus, Landes & Umhofer, LLP
1990 SOUTH BUNDY DR., SUITE 705
LOS ANGELES, CA 90025
TELEPHONE 310-826-4700; FACSIMILE 310-826-4711

1 TO THE COURT AND DEFENDANTS AND THEIR ATTORNEY OF RECORD:

2 PLEASE TAKE NOTICE THAT on June 7, 2021 at 8:30 a.m. or as soon
3 thereafter as this matter may be heard by the above-entitled Court, located at 411
4 West Fourth St., Santa Ana, CA 92701, plaintiff will present its application for a
5 default judgment against defendant.

6 At the time and place of hearing, plaintiff will present proof of the following
7 matters:

8 1. Defendant, County of Los Angeles, is not a minor or incompetent
9 person or in military service or otherwise exempted under the Soldiers' and Sailors'
10 Civil Relief Act of 1940. (*See* Declaration of Elizabeth A. Mitchell at ¶ 8.)

11 2. Notice of this application has been served as required by Rule 55(b)(2).

12 3. Notice of this application for default judgment by court has been
13 served on said defendant on May 26, 2021, by email as required by Local Rule 55-1
14 (Declaration of Elizabeth Mitchell ¶ 9.)


15 4. The above-named Defendant has failed to plead or otherwise respond
16 to the complaint. (*Id.* at ¶ 5.)

17 This Application is based on this Notice, the attached declaration of Elizabeth
18 A. Mitchell, and the pleadings, files and other matters that may be presented at the
19 hearing.

20 DATED: May 26, 2021

21
22
23
24
25
26
27
28

Respectfully submitted,


/s/
SPERTUS, LANDES & UMHOFFER, LLP
Matthew Donald Umhofer
Elizabeth A. Mitchell

Attorneys for Plaintiffs

Spertus, Landes & Umhofer, LLP
1990 SOUTH BUNDY DR., SUITE 705
LOS ANGELES, CA 90025
TELEPHONE 310-826-4700; FACSIMILE 310-826-4711

DECLARATION OF ELIZABETH A. MITCHELL

I, Elizabeth A. Mitchell, state and declare as follows:

1. I am an attorney duly licensed to practice law in the State of California and admitted to practice before this court. I make this declaration of my own personal knowledge and could and would so testify if called.

2. The Court issued a summons on March 10, 2020. (ECF No. 4, Summons.)

3. Defendant County of Los Angeles filed a motion to dismiss under Fed. R. Civ Proc. 12(b)(6) March 29, 2021 (ECF No. 256).

4. On May 11, 2021, the Court denied Defendant County of Los Angeles’ Motion to Dismiss. (ECF No. 300, Order Denying Motion to Dismiss.)

5. Under Rule 12(a)(4), Defendant County of Los Angeles was required to plead or otherwise respond to the complaint by May 25, 2021.

6. Defendant County of Los Angeles has failed to serve or file a pleading or otherwise respond to the complaint. The applicable time limit for responding to the complaint has expired.

7. Defendant County of Los Angeles is not a minor or an incompetent person.

8. Defendant County of Los Angeles is not currently in the military service, and therefore the Servicemembers Civil Relief Act does not apply.

9. I served a copy of this application for default judgment by email to Emily Rodriguez-Sanchirico (esan chirico@millerbardoness.com), Mira Hashmall (mhashmall@Millerbarondess.com) , and Skip Miller (smiller@millerbarondess.com) on March 26, 2021.


Spertus, Landes & Umhofer, LLP
1990 SOUTH BUNDRY DR., SUITE 705
LOS ANGELES, CA 90025
TELEPHONE 310-826-4700; FACSIMILE 310-826-4711

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed this 26th day of May 2021, at Los Angeles, California.

DATE: May 26, 2021


Elizabeth A. Mitchell

Spertus, Landes & Umhofer, LLP
1990 SOUTH BUNDY DR., SUITE 705
LOS ANGELES, CA 90025
TELEPHONE 310-826-4700; FACSIMILE 310-826-4711