

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 198260 NAME: Laura Stewart, Esq. FIRM NAME: WALSH MCKEAN FURCOLO LLP STREET ADDRESS: 550 West C Street, Suite 950 CITY: San Diego STATE: CA ZIP CODE: 92101 TELEPHONE NO.: 619.232.8486 FAX NO: 619.232.2691 E-MAIL ADDRESS: lstewart@wmflfp.com ATTORNEY FOR (Name): Defendant JESSICA McELFRESH, an individual	FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of San Diego 08/08/2022 at 02:15:00 PM Clerk of the Superior Court By Lee McAlister, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Hall of Justice Courthouse	
PLAINTIFF/PETITIONER: AMY SHERLOCK, et al. DEFENDANT/RESPONDENT: GINA M. AUSTIN, et al.	
DECLARATION OF DEMURRING OR MOVING PARTY IN SUPPORT OF AUTOMATIC EXTENSION	CASE NUMBER: 37-2021-00050889-CU-AT-CTL

1. (Name of party): Jessica McElfresh was served with

- a complaint an amended complaint a cross-complaint
 an answer other (specify):

in the above-titled action.

2. For a demurrer or motion to strike, a responsive pleading is due on (date): August 8, 2022

DECLARATION

I intend to file a demurrer, motion to strike, or motion for judgment on the pleadings in this action. Before I can do so, I am required to meet and confer with the party who filed the pleading that I am responding to at least five days before the date when the responsive pleading is due (if I am filing a demurrer or motion to strike) and at least five days before the last day a motion for judgment on the pleadings may be filed (if I am filing a motion for judgment on the pleadings). We have not been able to meet and confer. I have not previously requested an automatic extension of time. Therefore, on timely filing and serving a declaration that meets the requirements of Code of Civil Procedure sections 430.41, 435.5, or 439, I am entitled to an automatic 30-day extension of time within which to file a responsive pleading or motion for judgment on the pleadings.

I made a good faith attempt to meet and confer with the party who filed the pleading at least five days before the date the responsive pleading was due (if I am filing a demurrer or motion to strike) and at least five days before the last day a motion for judgment on the pleadings may be filed (if I am filing a motion for judgment on the pleadings). I was unable to meet with that party because (the reasons why the parties could not meet and confer are stated):

- below on form MC-031, Attached Declaration

On August 2, 2022, I called and e-mailed plaintiffs' counsel, Andrew Flores, to meet and confer about Ms. McElfresh's demurrer and motion to strike punitive damages from the First Amended Complaint. Mr. Flores e-mailed me back later that evening saying he was not available to meet and confer until the afternoon of August 5, 2022, which is only one business day before the deadline for filing the demurrer and motion to strike.

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

Date: August 8, 2022

Laura Stewart, Esq.
(NAME OF PARTY OR ATTORNEY FOR PARTY)


(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)