

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): John Kevin Crowley, Esq. 88189 Attorney at Law 125 S. Market Street, Suite 1200 San Jose, California 95113 TELEPHONE NO.: (408) 288-8100 FAX NO. (Optional): (408) 288-9409 E-MAIL ADDRESS (Optional): jkclaw@pacbell.net ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY  <b>Electronically Filed</b> <b>by Superior Court of CA,</b> <b>County of Santa Clara,</b> <b>on 8/26/2019 2:45 PM</b> <b>Reviewed By: S. Vera</b> <b>Case #16CV296656</b> <b>Envelope: 3310956</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara County</b> STREET ADDRESS: 191 N. First Street MAILING ADDRESS: CITY AND ZIP CODE: San Jose, California 95113 BRANCH NAME: Civil	
PLAINTIFF/PETITIONER: Mary Crouse  DEFENDANT/RESPONDENT: Charter Court SJC, LP; VP Management, Inc.	
<b>REQUEST FOR DISMISSAL</b>	CASE NUMBER: 16CV296656
A conformed copy will not be returned by the clerk unless a method of return is provided with the document. This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)	

## 1. TO THE CLERK: Please dismiss this action as follows:

a. (1) ☒ With prejudice (2) ☐ Without prejudiceb. (1) ☒ Complaint (2) ☐ Petition(3) ☐ Cross-complaint filed by (name):

on (date):

(4) ☐ Cross-complaint filed by (name):

on (date):

(5) ☐ Entire action of all parties and all causes of action(6) ☒ Other (specify):\* Each party to bear their own fees and costs.

## 2. (Complete in all cases except family law cases.)

The court ☐ did ☐ did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: August 15, 2019

John..Kevin..Crowley, Esq.....

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

\* If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

Attorney or party without attorney for: Mary Crouse

☒ Plaintiff/Petitioner☐ Defendant/Respondent☐ Cross-Complainant

## 3. TO THE CLERK: Consent to the above dismissal is hereby given.\*\*

Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

\*\* If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for the cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

Attorney or party without attorney for:

☐ Plaintiff/Petitioner☐ Defendant/Respondent☐ Cross-Complainant

(To be completed by clerk)

4. ☒ Dismissal entered as requested on (date): 8/26/2019 2:45 PM5. ☐ Dismissal entered on (date): as to only (name):6. ☐ Dismissal not entered as requested for the following reasons (specify):7. a. ☒ Attorney or party without attorney notified on (date): 8/26/2019 2:45 PMb. ☐ Attorney or party without attorney not notified. Filing party failed to provide☐ a copy to be conformed ☐ means to return conformed copy

/s/ S. Vera

Date 8/26/2019 2:45 PM

Clerk, by

Deputy  
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PLAINTIFF/PETITIONER: Mary Crouse	CASE NUMBER: 16CV296656
DEFENDANT/RESPONDENT: Charter Court SJC, LP; VP Management,	

### COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

### Declaration Concerning Waived Court Fees

1. The court waived fees and costs in this action for (name):
2. The person in item 1 is (check one below):
  - a. ☐ not recovering anything of value by this action.
  - b. ☐ recovering less than \$10,000 in value by this action.
  - c. ☐ recovering \$10,000 or more in value by this action. (If item 2c is checked, item 3 must be completed.)
3. ☐ All court fees and costs that were waived in this action have been paid to the court (check one): ☐ Yes ☐ No

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

Date: \_\_\_\_\_

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY MAKING DECLARATION)

(SIGNATURE)

1 **PROOF OF SERVICE**

2 [CCP §§1013, 2015.5]

3 *Crouse v. Charter Court SJC, LP, et al.*  
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4 I the undersigned, hereby declare that I am over the age of 18 years and not a party to  
5 the within action. I am employed in the County of Contra Costa, the County in which the  
6 following service occurred. My business address is 2300 Clayton Road, Suite 350, Concord,  
California, 94520.

7 On August 26, 2019, I caused a true copy of the following document(s) to be served  
8 in this action upon the person(s) set forth below, by the method indicated.

9 **DOCUMENT(S) SERVED: REQUEST FOR DISMISAL**

10 **PERSON(S) SERVED:**

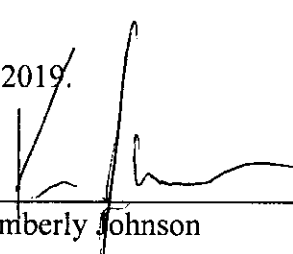
11 **Attorneys for Plaintiff**

12 John Kevin Crowley, Esq.  
13 125 S. Market Street, Suite 1200  
San Jose, CA 95113

14 **XX (BY MAIL)** I caused such envelope with postage thereon fully prepaid to be placed in  
15 the United States Mail this day in Concord, California. I am "readily familiar" with the  
16 firm's practice of collecting and processing mail. It is deposited with the U.S. Postal Service  
on that same day in the ordinary course of business.

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

19 Executed at Concord, California on August 26, 2019.

20   
21 \_\_\_\_\_  
22 Kimberly Johnson  
23  
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