

<b>CIVIL CASE INFORMATION STATEMENT</b>	Court of Appeal Case Number (if known): <b>B215265</b>
COURT OF APPEAL, <u>Second</u> APPELLATE DISTRICT, DIVISION <u>P</u>	<b>FOR COURT USE ONLY</b>  2009 APR 16 PM 3:16 JOSEPH A. ...
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Richard Hopp Post Office Box 3601 Van Nuys, California 91407-3601  TELEPHONE NO: (818) 902-0532 FAX NO. (Optional): (818) 670-7841 E-MAIL ADDRESS (Optional): Mail@BC401887.INFO ATTORNEY FOR (Name): Appellant in Propria Persona	
APPELLANT: Richard Hopp RESPONDENT: City of Los Angeles	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: Central District-Stanley Mosk Building	Superior Court Case Number: <b>BC401887 [Dept. 55]</b>
JUDGES (all who participated in case): Honorable Malcolm H. MacKey	
<b>NOTE TO APPELLANT:</b> You must file this form with the clerk of the Court of Appeal within 10 days after the clerk mails you a notice that this form must be filed. You must attach to this form (1) a copy of the judgment or order being appealed that shows the date it was entered (see Cal. Rules of Court, rule 8.104 for definition of "entered") and (2) proof of service of this form on all parties to the appeal. (CAUTION: An appeal in a limited civil case (Code Civ. Proc., § 85) may be taken ONLY to the appellate division of the superior court (Code Civ. Proc., § 904.2), or to the superior court (Code Civ. Proc., § 116.710 [small claims cases]).	

**PART I – APPEAL INFORMATION**

**A. APPEALABILITY**

1. Appeal is from:

- Judgment after jury trial
- Judgment after court trial
- Default judgment
- Judgment after an order granting a summary judgment motion
- Judgment of dismissal under Code Civ. Proc., §§ 581d, 583.250, 583.360, or 583.430
- Judgment of dismissal after an order sustaining a demurrer
- An order after judgment under Code Civ. Proc., § 904.1(a)(2)
- An order or judgment under Code Civ. Proc., § 904.1(a)(3)-(13)
- Other (describe and specify code section that authorizes this appeal):

2. Does the judgment appealed from dispose of all causes of action, including all cross-actions between the parties?

- Yes  No If no, please explain why the judgment is appealable:

**B. TIMELINESS OF APPEAL (Provide all applicable dates.)**

1. Date of entry of judgment or order appealed from: 03 / 03 / 2009
2. Date that notice of entry of judgment or a copy of the judgment was mailed by the clerk or served by a party under California Rules of Court, rule 8.104: 03 / 12 / 2009
3. Was a motion for new trial, judgment notwithstanding the verdict, reconsideration, or to vacate the judgment made and denied?  
 Yes  No If yes, please specify the type of motion:  
Date motion filed: \_\_\_/\_\_\_/\_\_\_ Date denied: \_\_\_/\_\_\_/\_\_\_ Date denial served: \_\_\_/\_\_\_/\_\_\_
4. Date notice of  appeal or  cross-appeal filed: 04 / 08 / 2009

**C. BANKRUPTCY OR OTHER STAY**

Is there a related bankruptcy case or a court-ordered stay that affects this appeal?  Yes  No (If yes, please attach a copy of the bankruptcy petition [without attachments] and any stay order.)

APPELLATE CASE TITLE: <b>Richard Hopp v. City of Los Angeles</b>	SUPERIOR COURT CASE NUMBER: <b>BC401887 [Dept. 55]</b>
---	---

D. APPELLATE CASE HISTORY (Provide additional information, if necessary, on attachment I.D.)  
 Is there now, or has there previously been, any appeal, writ, or other proceeding related to this case pending in any California appellate court?  Yes  No If yes, insert name of appellate court:  
 Appellate court case no.: \_\_\_\_\_ Title of case: \_\_\_\_\_  
 Name of trial court: \_\_\_\_\_ Trial court case no.: \_\_\_\_\_

E. SERVICE REQUIREMENTS  
 Is service of documents in this matter, including a brief or a petition, required on the Attorney General or other nonparty public officer or agency under California Rules of Court, rule 8.29 or a statute? Yes  No  If yes, please indicate the rule or statute that applies.

<input type="checkbox"/> Rule 8.29	<input type="checkbox"/> Gov. Code, § 4461 (Disabled access to public buildings)
<input type="checkbox"/> Bus. & Prof. Code, § 17209 (Unfair Competition Act)	<input type="checkbox"/> Gov. Code, § 12656(a) (False Claims Act)
<input type="checkbox"/> Bus. & Prof. Code, § 17536.5 (False advertising)	<input type="checkbox"/> Health & Saf. Code, § 19954.5 (Accessible seating and accommodations)
<input type="checkbox"/> Civ. Code, § 51.1 (Unruh, Ralph, or Bane Civil Rights Acts; antiboycott cause of action; sexual harassment in business or professional relations; civil rights action by district attorney)	<input type="checkbox"/> Health & Saf. Code, § 19959.5 (Disabled access to privately funded public accommodations)
<input type="checkbox"/> Civ. Code, § 55.2 (Disabled access to public conveyances, accommodations, and housing)	<input type="checkbox"/> Other (please specify statute): _____

**NOTE: The rule and statutory provisions listed above require service of a copy of a party's brief or petition and brief on the Attorney General or other public officer or agency. Other statutes requiring service on the Attorney General or other public officers or agencies may also apply. (See, e.g., Code Civ. Proc., § 1355; Gov. Code, § 946.6(d); Pub. Resources Code, § 21167.7.)**

**PART II – NATURE OF ACTION**

A. Nature of action (check all that apply):

1.  Conservatorship
2.  Contract
3.  Eminent domain
4.  Equitable action    a.  Declaratory relief    b.  Other (describe): \_\_\_\_\_
5.  Family law
6.  Guardianship
7.  Probate
8.  Real property rights    a.  Title of real property    b.  Other (describe): \_\_\_\_\_
9.  Tort
  - a.  Medical malpractice
  - b.  Product liability
  - c.  Other personal injury
  - d.  Personal property
  - e.  Other tort (describe): \_\_\_\_\_
10.  Trust proceedings
11.  Writ proceedings in superior court
  - a.  Mandate (Code Civ. Proc., § 1085)
  - b.  Administrative mandate (Code Civ. Proc., § 1094.5)
  - c.  Prohibition (Code Civ. Proc., § 1102)
  - d.  Other (describe): \_\_\_\_\_
12.  Other action (describe): \_\_\_\_\_

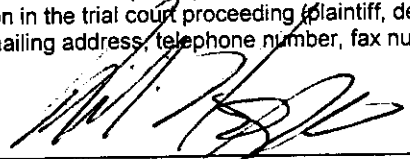
B.  This appeal is entitled to calendar preference/priority on appeal (cite authority): \_\_\_\_\_

**PART III – PARTY AND ATTORNEY INFORMATION**

Please attach to this form a list of all the parties and all their attorneys of record who will participate in the appeal. For the parties, include the following information: the party's name and his or her designation in the trial court proceeding (plaintiff, defendant, etc.). For the attorneys, include the following information: name, State Bar number, mailing address, telephone number, fax number, and e-mail address.

Date: April 16, 2009

This statement is prepared and submitted by:  
**Richard Hopp, Plaintiff in Propria Persona**

  
 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY OR UNREPRESENTED PARTY)

1 **CIVIL CASE INFORMATION STATEMENT**  
2 **PART III - PARTY AND ATTORNEY INFORMATION**

3 The following are the interested parties and their  
4 attorneys of record:

4 Honorable Malcolm H. Mackey  
5 Los Angeles Superior Court  
6 111 North Hill Street  
7 Department 55  
8 Los Angeles, California 90012  
9 Telephone (213) 974-5683  
10 Designation: Judicial Officer

8 Mr. Richard Hopp  
9 Post Office Box 3601  
10 Van Nuys, California 91407-3601  
11 Telephone: (818) 902-0532  
12 Fax: (818) 670-7841  
13 E-mail: MAIL@BC401887.INFO  
14 Designation: Plaintiff in Propria Persona

12 Mr. David A. Cordier, Esq.  
13 State Bar Number 111208  
14 466 Foothill Boulevard, #300  
15 La Canada, California 91011  
16 Telephone: (818) 553-3669  
17 Fax: (818) 827-4980  
18 Designation: Associated Counsel for Plaintiff, Richard Hopp

16 Ms. Lisa-Jayne Rosengren, Esq.  
17 State Bar Number 130412  
18 6203 Van Nuys Boulevard  
19 Van Nuys, California 91401  
20 Telephone: (818) 994-5575  
21 Fax: (818) 994-3363  
22 Designation: Associated Counsel for Plaintiff, Richard Hopp

20 City of Los Angeles  
21 Ms. Karan E. Kalfayan, City Clerk  
22 200 North Spring Street, Room 395  
23 Los Angeles, California 90012  
24 Telephone: (213) 978-1020  
25 Designation: Defendant (City Clerk, Agent for Service of  
26 Process)

24 Mr. Gabriel S. Dermer, Deputy City Attorney  
25 State Bar Number 229424  
26 Business and Complex Litigation Division  
27 Office of the City Attorney  
28 200 North Main Street, Suite 916  
Los Angeles California 90012  
Telephone: (213) 473-6850  
Fax: (213) 473-6818  
E-mail: GABRIEL.DERMER@LACITY.ORG  
Designation: Attorney for Defendant, City of Los Angeles

RICHARD HOPP  
vs.  
CITY OF  
LOS ANGELES  
COURT OF APPEAL  
B215265  
(SUPERIOR COURT  
BC401887)

1  
2 PROOF OF SERVICE

3 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

4 I live in the county of Los Angeles, State of California.  
5 I am over the age of 18 and not a party to the within action; my  
6 business address is: 6320 Van Nuys Boulevard, Suite 503, Van  
Nuys, California 91401.

7 On April 16, 2009, I served the documents entitled:  
8 ~~APPELLANT'S NOTICE DESIGNATING RECORD ON APPEAL; PROOF OF~~  
9 ~~SERVICE~~ on the interested parties in this action by placing a  
true copy thereof enclosed in a sealed envelope addressed as  
follows:

10 Honorable Malcolm H. Mackey  
11 Los Angeles Superior Court  
12 111 North Hill Street  
13 Department 55  
Los Angeles, California 90012

→ Civil Case Information Statement

14 Mr. Gabriel S. Dermer, Deputy City Attorney  
15 Business and Complex Litigation Division  
16 Office of the City Attorney  
200 North Main Street, Suite 916  
Los Angeles California 90012

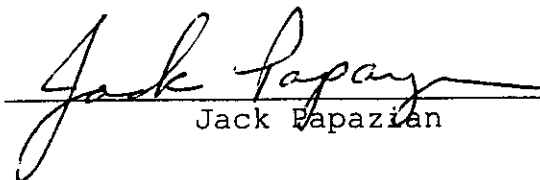
17 Mr. David A. Cordier, Esq.  
18 466 Foothill Boulevard, #300  
La Canada, California 91011

19 Ms. Lisa-Jayne Rosengren, Esq.  
20 6203 Van Nuys Boulevard  
Van Nuys, California 91401

21 **By US Mail** - I deposited such envelope in the US Mail at Van  
22 Nuys, California.

23 I declare under penalty of perjury under the law of the  
24 State of California that the above is true and correct.

25 Executed on April 16, 2009, at Van Nuys, California.

26  
27  
28   
Jack Papazian

1 ROCKARD J. DELGADILLO, City Attorney (SBN 125465x)  
2 LAURIE RITTENBERG, Assistant City Attorney (SBN 106683)  
3 GABRIEL S. DERMER, Deputy City Attorney (SBN 229424)  
4 200 N. Main Street, City Hall East, 9<sup>th</sup> Floor, Rm. 916  
5 Los Angeles, CA 90012  
6 Telephone (213) 473-6850  
7 Facsimile (213) 473-6818

8 Attorneys for Defendant CITY OF LOS ANGELES

**FILED**  
LOS ANGELES SUPERIOR COURT

MAR 12 2009

JOHN A. CLARKE, CLERK  
BY *Paul Sanchez* DEPUTY

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES**

RICHARD HOPP, an individual	CASE NO. BC 401 887
Plaintiff,	[Assigned to Hon. Malcolm H. Mackey, Dept. 55]
vs.	NOTICE OF ENTRY OF ORDER AND JUDGMENT
CITY OF LOS ANGELES, a Municipal Corporation	
Defendant.	

TO PLAINTIFF AND TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that, on March 3, 2009, the Court granted Defendant City of Los Angeles' motion for judgment on the pleadings and entered judgment in favor of Defendant. A copy of the Court's Order Granting Defendant's Motion for Judgment on the Pleadings, signed March 3, 2009, and the minute order of said date are attached hereto.

DATED: March 12, 2009

ROCKARD J. DELGADILLO, City Attorney  
LAURIE RITTENBERG, Assistant City Attorney  
GABRIEL S. DERMER, Deputy City Attorney

By *Gabriel S. Dermer*  
GABRIEL S. DERMER  
Deputy City Attorney  
Attorneys for Defendant CITY OF LOS ANGELES

**FILED**  
LOS ANGELES SUPERIOR COURT

MAR 03 2009

JOHN A. CLARKE CLERK  
**RECEIVED**  
BY JAN [Signature] DEPUTY

**FILED**  
LOS ANGELES SUPERIOR COURT

JAN 30 2009

JOHN A. CLARKE CLERK  
BY NANCY [Signature] DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

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

RICHARD HOPP, an individual  
  
Plaintiff,  
  
vs.  
  
CITY OF LOS ANGELES, a Municipal  
Corporation  
  
Defendant.

CASE NO. BC 401 887  
[Assigned to Hon. Malcolm H. Mackey,  
Dept. 55]  
~~PROPOSED~~ ORDER GRANTING  
DEFENDANT'S MOTION FOR JUDGMENT  
ON THE PLEADINGS  
  
Hearing  
Date: March 3, 2009  
Time: 8:30 a.m.  
Dept: 55

The motion of Defendant City of Los Angeles for judgment on the pleadings as to the entire complaint of Plaintiff Richard Hopp came on for hearing in Department 55 of this Court on March 3, 2009. Gabriel S. Dermer, Deputy City Attorney, appeared on behalf of Defendant City of Los Angeles. Plaintiff Richard Hopp appeared *in pro per* and with DAVID A. CORDIER

///  
///

~~PROPOSED~~ ORDER GRANTING DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS

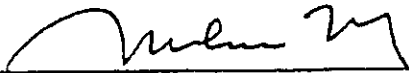
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Having read and considered the motion, the memoranda and the request for judicial notice, and having heard argument of counsel,

IT IS ORDERED THAT:

1. The request for judicial notice is granted;
2. The motion for judgment on the pleadings is granted as to entire complaint without leave to amend; and
3. Judgment shall be entered in favor of defendant.

Date: MAR 03 2009



---

Judge of the Superior Court

MALCOLM H. MACKAY



**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES =**

DATE: 03/03/09

DEPT. 55

HONORABLE MALCOLM MACKEY

JUDGE E. VERNER

DEPUTY CLERK

HONORABLE  
#11

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

L. GOMEZ, C/A

Deputy Sheriff

S. BROCK, CSR

Reporter

8:30 am

BC401887

Plaintiff DAVID A. CORDIER (X)  
Counsel

RICHARD HOPP (X)  
VS  
CITY OF LOS ANGELES

Defendant GABRIEL S. DERMER (X)  
Counsel

**NATURE OF PROCEEDINGS:**

MOTION OF DEFENDANT, CITY OF LOS ANGELES, FOR  
JUDGMENT ON THE PLEADINGS.

CASE MANAGEMENT CONFERENCE.

Matter comes on calendar for Defendant's Motion for  
Judgment on the Pleadings filed January 30, 2009.  
Opposition filed February 18, 2009. Reply filed  
February 20, 2009.

Motion for Judgment on the Pleadings is argued and  
granted, as fully reflected in the notes of the  
official court reporter and incorporated by reference  
herein.

Order Granting Motion for Judgment on the Pleadings  
signed and filed this date.

The Motion for Judgment on the Pleadings having been  
granted, the Case Management Conference this date is  
placed off calendar, as moot.

Moving party/prevaling party to give notice.

MINUTES ENTERED 03/03/09 COUNTY CLERK
---

3  
4  
5  
6  
7  
8  
9

PROOF OF SERVICE  
RICHARD HOPP v. CITY OF LOS ANGELES  
LASC CASE NO. BC 401887

I am employed as a paralegal/legal secretary by the Office of the Los Angeles City Attorney located in the City and County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 200 North Main Street - 916 City Hall East, Los Angeles, California 90012.

On March 12, 2009, I served the foregoing documents described as:

NOTICE OF ENTRY OF ORDER AND JUDGMENT

on the interested parties in this action by placing [ ] the original [X] a true copy thereof enclosed in a sealed envelope addressed as follows:

Richard Hopp  
POB 3601  
Van Nuys, CA 91407

David A. Cordier, Esq.  
466 Foothill Boulevard, Suite 308  
La Cañada, CA 91011

- [X] MAIL - I caused such envelope to be deposited in the United States mail at Los Angeles, California, with first class postage thereon fully prepaid. I am readily familiar with the business practice for collection and processing of correspondence for mailing. Under that practice, it is deposited with the United States Postal Service on that same day, at Los Angeles, California, in the ordinary course of business. I caused such envelope to be deposited in the mail at Los Angeles, California, with first class postage thereon fully prepaid.
- [ ] BY PERSONAL SERVICE - I caused such envelope(s) to be delivered by hand to the above addressee(s).
- [ ] BY OVERNIGHT COURIER - I caused the above-referenced document(s) to be delivered via: [UPS], an overnight courier service; for delivery to the above-addressee(s).
- [ ] BY FACSIMILE - I caused the above-referenced document(s) to be transmitted to the offices of the addressee via facsimile machine, on the date specified above. The facsimile machine I used was in compliance with Rule 2003(3) and the transmission was reported as complete without error. Pursuant to Rule 2008(e), I caused a copy of the transmission report to be properly issued by the transmitting facsimile machine.
- [ ] Federal - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.
- [X] State - I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 12, 2009, at Los Angeles, California.

  
TERRY LEE