

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

Los Gatos Courthouse
14205 Capri Drive
Los Gatos, CA 95032
(408) 866-8331

Palo Alto Courthouse
270 Grant Avenue
Palo Alto, CA 94306
(650) 324-8526

South County Courthouse
12425 Monterey Road
San Martin, CA 95046
(408) 686-3522

SMALL CLAIMS CASE NO. _____

PLAINTIFF/DEMANDANTE (Name, address, and telephone number of each):

DEFENDANT/DEMANDADO (Name, address, and telephone number of each):

Telephone No.:

Telephone No.:

Telephone No.:

Telephone No.:

See attached sheet for additional plaintiffs and defendants.

NOTICE TO: The Office of the Secretary of State

NOTICE OF EX PARTE MOTION AND ORDER TO SERVE THE SECRETARY OF STATE ON BEHALF OF THE ABOVE-ENTITLED OUT-OF-STATE DEFENDANT CORPORATION

1. I request that the court make an order to serve the Office of the Secretary of State on behalf of the Defendant corporation in the above-entitled action.
2. My request is based on this notice of motion, my declaration and any records or evidence on file with the court.

DECLARATION SUPPORTING MY REQUEST FOR THIS MOTION

3. I am the plaintiff in this action.
4. The facts supporting this motion are that Defendant corporation did business with the plaintiff _____ in California _____ by mail to our address in California (Check one). We purchased and/or contracted with defendant for the following:

Plaintiff has verified with the Office of the Secretary of State that the Defendant corporation has no designated agent for service of process in the State of California and has no officers or agents located in the State of California.

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

DATE: _____

(TYPE OR PRINT NAME)

(SIGNATURE)

COURT ORDER

The court having considered the motion and good cause appearing
IT IS ORDERED:

1. That the Secretary of State accept service on behalf of _____ which has been doing business in the State of California, but has no designated Agent for Service of Process nor are any Officers or Agents of Defendant corporation located in California: and
2. That the Secretary of State shall promptly give notice to Defendant corporation of the service of process of the claim against it by Plaintiff.

DATE: _____

(JUDGE OR COMMISSIONER)