

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 01/13/2011

TIME: 02:00:00 PM

DEPT: C08

JUDICIAL OFFICER PRESIDING: Kirk Nakamura

CLERK: Kathy Beltran

REPORTER/ERM: Kathy Lusk-3545 CSR# 3545

BAILIFF/COURT ATTENDANT: Diana Acosta

CASE NO: **30-2010-00380231-CU-BT-CJC** CASE INIT.DATE: 06/10/2010

CASE TITLE: **Third Laguna Hills Mutual vs. Professional Community Management Inc.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Business Tort

EVENT ID/DOCUMENT ID: 71106003,84832935

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: Professional Community Management Inc.

CAUSAL DOCUMENT/DATE FILED: Demurrer to Amended Complaint, 11/12/2010

EVENT ID/DOCUMENT ID: 71133215,85187832

EVENT TYPE: Joinder

MOVING PARTY: Milt Johns

CAUSAL DOCUMENT/DATE FILED: Motion for Joinder, 12/16/2010

APPEARANCES

There are no appearances by any party.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

All parties submit on the Courts tentative ruling.

Tentative Ruling posted on the Internet now becomes the final ruling of the court.

Demurrer to Amended Complaint/Joinder: SUSTAINED without leave to amend/GRANT joinder.

The demurrer to the 5th cause of action for Elder Abuse is sustained without leave to amend. Joinder is granted. RJN granted.

On 9-23-2010 the Court sustained defendants' demurrer as to the 5th cause of action for Elder Abuse and allowed leave to amend for individuals to make claims. Plaintiff's First Amended Complaint does not comply with the amendment parameters set forth by the Court. Simply because plaintiff alleges it is an "interested person" does not make it so in order to give plaintiff standing.

Court orders moving party to give notice.