

Defendant(s) would suffer hardship if the judgment were to be executed at this time: _____

The judgment may be set aside or modified as requested in Defendant's motion to vacate (default) judgment.

The judgment may be set aside or modified in accordance with Defendant's motion for a new trial.

The judgment may be set aside or modified in accordance with Defendant's motion for judgment notwithstanding the verdict.

The judgment may be set aside or modified in accordance with the Defendant's motion for relief from forfeiture and restoration of the tenancy under section 1179 of the Code of Civil Procedure.

6. The motion listed above is filed with this application.

DECLARATION

7. I am the Defendant in this action. I am asking the court to set aside the default set aside the default judgment vacate the judgment in this case.

8. I did not file a response to the summons and complaint appear at the trial in this case because

I did not receive the summons and complaint until _____, and by that time it was too late to file a response.

I was unable to come to court because of the following medical emergency:

Other:

Mark this box, if you need additional space. You may use Judicial Council Attachment form (MC-025)

9. NOTICE:

I gave notice to plaintiff plaintiff's attorney that the ex parte hearing was scheduled for (date) _____ and (time) _____ in Courtroom _____ of this court on this motion.

I gave notice personally by telephone by voicemail on (date) _____ at _____ a.m./p.m.

I gave notice by 10 a.m. the court day before this hearing

I gave notice after 10 a.m. the court day before this hearing because of the following exceptional circumstances:

The person I called responded as follows: _____

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

Date:

PRINT NAME HERE

SIGNATURE