

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - CENTRAL DISTRICT

BETH BOGAERTS,

CASE NO.: 20STCV10636

Plaintiff,

v.

THOMAS SCHOENBERGER,

Defendant.

DEFENDANT THOMAS SCHOENBERGER'S LIMITED AND
SPECIAL APPEARANCE FOR THE FOLLOWING PURPOSES:
(I) MOTION TO QUASH SERVICE OF PROCESS and (II) MOTION
TO DISMISS FOR LACK OF PERSONAL JURISDICTION

The Defendant, THOMAS SCHOENBERGER, Pro Se, enters this limited and special appearance in this matter for the sole and limited purposes of moving to quash the service of process and dismiss for lack of personal jurisdiction. Defendant Schoenberger does not seek or assert any affirmative relief at this time that could operate to waive his objection to personal jurisdiction. Further, Defendant Schoenberger does not, with this pleading, waive affirmative defenses available to him in initial responsive pleadings, such as dismissal for failure to state a claim.

Applicable Law

1. California Code, Code of Civil Procedure - CCP § 418.10
(1) To quash service of summons on the ground of lack of jurisdiction of the court over him or her.

- (2) To stay or dismiss the action on the ground of inconvenient forum.
- (3) To dismiss the action pursuant to the applicable provisions of Chapter 1.5 (commencing with Section 583.110) of Title 8.

Law Applied to Plaintiffs Complaint

2. In the present action, neither the Plaintiff or Defendant are residents of California. The last known address for Plaintiff was in Vienna, Austria.

3. The Defendant, Schoenberger, is a resident of Utah, and was served with the complaint at his home and residence in Utah.

Conclusion

The Plaintiffs complaint fails to allege any basis for long-arm jurisdiction. Thus, service is due to be quashed, and the complaint is due to be dismissed without a hearing.

Respectfully submitted on this the 24TH day of June, 2020.

/s/ Thomas Schoenberger

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