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8 LOS ANGELES COUNTY SUPERIOR COURT
9 FOR THE COUNTY OF LOS ANGELES

10 COLOCATION AMERICAN
11 CORPORATION, a Nevada corporation

12 Plaintiff,

13 vs.

14 ARCHIE GARGA-RICHARDSON,
15 PREMIER FINANCIAL & ACCOUNTING
16 SERVICES, LLC, SCAMFRAUD-
17 ALERT.COM; DOES 11 THROUGH 1-10

18 Defendants,

Case No.: 09K08409

Before the Honorable Barbara A. Meiers

OPPOSITION TO MOTION TO STRIKE

Date: April 8, 2011
Time: 8:30
Dept: 15
Room: 307

19 Defendant moves before the Court for a Motion to Strike pursuant to California Civil Code
20 §425.16(a)(b)(1) and §425.16(e)(2)(3). No other motion or application was made.

21 By these statutory code §425, such Motion is to be filed within 60 days of the service of the
22 complaint, C.C.P. §425.16(f); *see also* Civil Procedure Before Trial, Rutter Civil Practice Guide,
23 paragraph 7-241 (“The anti-SLAPP motion must be filed within 60 days after service of the
24 complaint”).

25 The Complaint was served on December 5, 2010 (*see* Proof of Service filed in this action
26 December 7, 2010, and “Defendant Response Plaintiffs Request for Entry of Default” filed January
27 10, 2011).

28 The sixtieth day was Thursday, February 3, 2011.

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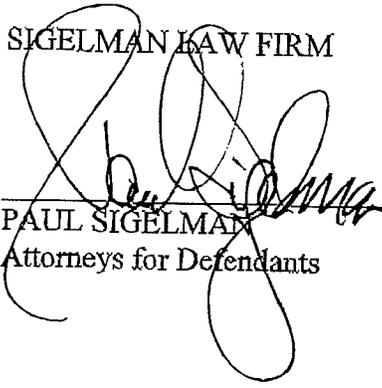
The motion before the Court was filed February 4, 2011.

The statutory period already lapsed before filing of the motion.

In order to avoid any claim of estoppel to assert the statutory section, Defendant cannot respond on the substance of the action. Indeed, the substance of the motion is basically one for a summary judgment, that any and all trade liable cases are barred by the SLAPP act, based on Defendant's declaration alleging factual matters and the documents, without providing the statutory notice for a summary judgment pursuant to C.C.P. §437c(a)

Dated: March 22, 2011

SIGELMAN LAW FIRM



PAUL SIGELMAN
Attorneys for Defendants