

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN		
BERNARD KERR, ET. AL.  PLAINTIFF(s)  VS.  DIPAULA ROOFING, ET. AL.  DEFENDANT(s)	DATE FILED:	10/17/2014
	CASE TYPE:	COMPLAINT
	CASE SUBTYPE:	PERSONAL INJURY - OTHER
	DATE OF LAST ACTIVITY:	10/14/2016
	DATE/TIME RUN:	05/15/2024 05:13 AM
REGISTER OF ACTIONS	CASE NUMBER:	CIV 1403987

INVOLVED PERSON/PARTY AND ATTORNEY SUMMARY:

KERR, BERNARD is the PLAINTIFF and is represented by: ELLIS, MICHAEL S.

DAYTON, SIRI is the PLAINTIFF and is represented by: ELLIS, MICHAEL S.

DIPAULA ROOFING is the DEFENDANT and is represented by:

DIPAULA, BUCK is the DEFENDANT and is represented by:

AMERICAN CONTRACTORS INDEMNITY COMPANY, A CA. CORP. (1) is the CROSS COMPLAINANT and is represented by: HUDSON, GEOFFREY R.

DI PAULA, BUCK (1) is the CROSS DEFENDANT and is represented by:

REGISTER OF ACTIONS:

10/17/2014 CASE OPEN / ACTIVE STATUS HON PAUL M HAAKENSEN

10/17/2014 FILING FEE PROCESSED: PLTF, BERNARD KERR - 435.00

10/17/2014 COMPLAINT/FIRST PAPER COMPLAINT FOR PROPERTY DAMAGE, PERSONAL INJURY, ATTORNEY FEES

10/17/2014 SUMMONS ISSUED AND FILED

10/22/2014 HEARING CONFIRMED FOR: 12/30/2014 AT: 09:00 AM FOR APPEARANCE TYPE: OSCH IN DEPARTMENT: D08

10/22/2014 HEARING CONFIRMED FOR: 01/30/2015 AT: 09:00 AM FOR APPEARANCE TYPE: OSCH IN DEPARTMENT: D08

10/22/2014 HEARING CONFIRMED FOR: 03/13/2015 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08

12/23/2014 PROOF OF SERVICE FILED, AS TO: DEFT, BUCK DIPAULA PURSUANT TO AGREEMENT ORF COUNSEL TO ACCEPT SERVICE VIA EMAIL ON 11/18/2014.

12/23/2014 PROOF OF SERVICE FILED, AS TO: DEFT, DIPAULA ROOFING BY EMAIL ON 11/18/2014 PURSUANT TO AGREEMENT WITH LEGAL COUNSEL.

12/23/2014 PROOF OF SERVICE FILED, AS TO: DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY BY EMAIL ON 11/18/2014 PURSUANT TO AGREEMENT WITH LEGAL COUNSEL.

12/24/2014 APPEARANCE DROPPED FOR 12/30/2014 AT: 09:00 AM FOR APPEARANCE TYPE: OSCH IN DEPARTMENT: D08  
DROP REASON: POS FILED

01/30/2015 MINUTE ORDER POSTED - Appearance: 01/30/2015 at 9:00AM for OSC RE: FILING OF ANSWER  
JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK J. DALE  
ATTORNEY MIKE ELLIS APPEARED FOR PLAINTIFF  
NO APPEARANCE BY OR FOR THE DEFENDANTS  
HEARING BEFORE TRIAL  
PARTIES ATTEMPTING TO SETTLE.  
IT IS ORDERED:  
THIS MATTER IS CONTINUED TO 03/13/2015 AT 9:00 A.M.  
HEARING CONTINUED TO: 03/13/2015 AT: 09:00 AM FOR APPEARANCE TYPE: OSCH IN DEPARTMENT: D08 FROM  
DATE: 01/30/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: OSCH FROM DEPARTMENT: D08  
ENTERED BY: J. DALE

03/13/2015 MINUTE ORDER POSTED - Appearance: 03/13/2015 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL HAAKENSEN , REPORTER NOT REPORTED , DEP CLK D.THA  
HEARING BEFORE TRIAL  
ATTORNEY MICHAEL ELLIS APPEARED FOR PLAINTIFFS  
ATTORNEY ELLIS STATES THAT THE PARTIES ARE IN CONTACT  
IT IS ORDERED: OSC RE: ANSWER 04/09/15 AT 9:00 A.M.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN		
BERNARD KERR, ET. AL.  PLAINTIFF(s)  VS.  DIPAULA ROOFING, ET. AL.  DEFENDANT(s)	DATE FILED:	10/17/2014
	CASE TYPE:	COMPLAINT
	CASE SUBTYPE:	PERSONAL INJURY - OTHER
	DATE OF LAST ACTIVITY:	10/14/2016
	DATE/TIME RUN:	05/15/2024 05:13 AM
REGISTER OF ACTIONS	CASE NUMBER:	CIV 1403987

HEARING CONTINUED TO: 04/09/2015 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM DATE: 03/13/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08

HEARING CONTINUED TO: 04/09/2015 AT: 09:00 AM FOR APPEARANCE TYPE: OSCH IN DEPARTMENT: D08 FROM DATE: 03/13/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: OSCH FROM DEPARTMENT: D08

ENTERED BY: D.THAH

03/16/2015 ANSWER DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY (GENERAL DENIAL)

03/16/2015 FILING FEE PROCESSED: DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY - 435.00

03/16/2015 CROSS-COMPLAINT FILED (1) BY ATTY GEOFFREY HUDSON OBO CROSS-COMPLAINANT AMERICAN CONTRACTORS INDEMNITY COMPANY AGAINST CROSS-DEFT BUCK DI PAULA AND ROES 1-100, INCLUSIVE.

03/16/2015 SUMMONS ISSUED ON CROSS-COMPLAINT (1) AND FILED

03/19/2015 REQUEST FOR DEFAULT FILED, AS TO: DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY

03/19/2015 REQUEST FOR DEFAULT FILED, AS TO: DEFT, BUCK DIPAULA

03/19/2015 REQUEST FOR DEFAULT FILED, AS TO: DEFT, DIPAULA ROOFING

03/19/2015 REQUEST FOR DEFAULT FILING REMOVED, AS TO DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY

03/19/2015 REQUEST FOR DEFAULT FILED, AS TO: DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY

03/19/2015 REQUEST FOR DEFAULT FILING REMOVED, AS TO DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY

04/02/2015 PROOF OF SERVICE FILED, AS TO: CRDF, BUCK DI PAULA BY PERSONAL SERVICE ON 3/26/2015.

04/03/2015 APPEARANCE DROPPED FOR 04/09/2015 AT: 09:00 AM FOR APPEARANCE TYPE: OSCH IN DEPARTMENT: D08 DROP REASON: ANSWERS/DEFAULTS ENTERED

04/09/2015 MINUTE ORDER POSTED - Appearance: 04/09/2015 at 9:00AM for CASE MANAGEMENT CONFERENCE JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK J. DALE  
NO APPEARANCE BY OR FOR THE PLAINTIFFS  
COURT CALL APPEARANCE BY GEOFFREY R. HUDSON FOR DEFENDANT AMERICAN CONTRACTORS INDEMNITY COMPANY  
HEARING BEFORE TRIAL  
COUNSEL REPORTS TIME TO RESPOND TO CROSS-COMPLAINT NOT YET EXPIRED.  
IT IS ORDERED:  
FUTURE CASE MANAGEMENT CONFERENCE SET 06/11/2015 AT 9:00 AM.  
COUNSEL GEOFFREY HUDSON MUST PROVIDE NOTICE OF THIS ORDER TO PLAINTIFFS  
HEARING CONTINUED TO: 06/11/2015 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM DATE: 04/09/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
ENTERED BY: J. DALE

05/15/2015 REQUEST FOR DEFAULT FILED, AS TO: CRDF, BUCK DI PAULA

06/11/2015 MINUTE ORDER POSTED - Appearance: 06/11/2015 at 9:00AM for CASE MANAGEMENT CONFERENCE JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK J. DALE  
ATTORNEY MIKE ELLIS APPEARED FOR PLAINTIFFS  
COURT CALL APPEARANCE BY GEOFFREY HUDSON FOR DEFENDANT/CROSS-COMPLAINANT AMERICAN CONTRACTORS INDEMNITY COMPANY  
HEARING BEFORE TRIAL  
COURT AND COUNSEL HOLD DISCUSSION  
IT IS ORDERED: FUTURE CASE MANAGEMENT CONFERENCE SET 08/24/2015 AT 9:00 AM

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN		
BERNARD KERR, ET. AL.  PLAINTIFF(s)  VS.  DIPAULA ROOFING, ET. AL.  DEFENDANT(s)	DATE FILED:	10/17/2014
	CASE TYPE:	COMPLAINT
	CASE SUBTYPE:	PERSONAL INJURY - OTHER
	DATE OF LAST ACTIVITY:	10/14/2016
	DATE/TIME RUN:	05/15/2024 05:13 AM
REGISTER OF ACTIONS	CASE NUMBER:	CIV 1403987

HEARING CONTINUED TO: 08/24/2015 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM DATE: 06/11/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
ENTERED BY: J. DALE

08/24/2015 MINUTE ORDER POSTED - Appearance: 08/24/2015 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK J. DALE  
COURT CALL APPEARANCE BY MICHAEL ELLIS FOR PLAINTIFFS  
COURT CALL APPEARANCE BY GEOFFREY R. HUDSON FOR DEFENDANT/CROSS-COMPLAINANT AMERICAN CONTRACTORS INDEMNITY COMPANY  
HEARING BEFORE TRIAL  
COUNSEL ELLIS REQUESTS A 60 DAY CONTINUANCE  
NO OBJECTION

IT IS ORDERED: MATTER CONTINUED TO OCTOBER 28, 2015 AT 9:00 AM, DEPARTMENT E

HEARING CONTINUED TO: 10/28/2015 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM DATE: 08/24/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
ENTERED BY: J. DALE

10/28/2015 MINUTE ORDER POSTED - Appearance: 10/28/2015 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK J. DALE  
COURT CALL APPEARANCE BY MICHAEL ELLIS FOR PLAINTIFFS  
COURT CALL APPEARANCE BY GEOFFREY HUDSON FOR DEFENDANT/CROSS-COMPLAINANT AMERICAN CONTRACTORS INDEMNITY COMPANY  
APPEARANCE BY DEFENDANT/CROSS-DEFENDANT BUCK DIPAULA  
HEARING BEFORE TRIAL  
MATTER ON CALENDAR FOR CASE MANAGEMENT CONFERENCE  
THE COURT TAKES NOTICE OF MR. DIPAULA'S DEFAULT STATUS  
PLAINTIFF REQUESTS TRIAL  
THE COURT INFORMS MR. DIPAULA TO SEEK SELF-HELP OR LEGAL SERVICES  
IT IS ORDERED:

COURT TRIAL SET APRIL 22, 2016 AT 1:30 PM, DEPARTMENT E. TRIAL ESTIMATED AT 2 DAYS.

FUTURE STATUS REPORT SET MARCH 17, 2016 AT 9:00 AM, DEPARTMENT E

HEARING CONTINUED TO: 03/17/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM DATE: 10/28/2015 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08

HEARING CONFIRMED FOR: 04/22/2016 AT: 01:30 PM FOR APPEARANCE TYPE: TRCL IN DEPARTMENT: D08

NOTICE OF HEARING MAILED AS TO TRIAL DATE

ENTERED BY: J. DALE

03/17/2016 MINUTE ORDER POSTED - Appearance: 03/17/2016 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK J. DALE  
COURT CALL APPEARANCE BY MABI ELLIS FOR PLAINTIFFS AND SPECIALLY FOR DEFENDANT/CROSS-COMPLAINANT AMERICAN CONTRACTORS INDEMNITY COMPANY  
NO APPEARANCE BY OR FOR THE DEFENDANT/CROSS-DEFENDANT BUCK DIPAULA  
NO APPEARANCE BY OR FOR THE DEFENDANT DIPAULA ROOFING  
HEARING BEFORE TRIAL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN		
BERNARD KERR, ET. AL.  PLAINTIFF(s)  VS.  DIPAULA ROOFING, ET. AL.  DEFENDANT(s)	DATE FILED:	10/17/2014
	CASE TYPE:	COMPLAINT
	CASE SUBTYPE:	PERSONAL INJURY - OTHER
	DATE OF LAST ACTIVITY:	10/14/2016
	DATE/TIME RUN:	05/15/2024 05:13 AM
REGISTER OF ACTIONS	CASE NUMBER:	CIV 1403987

MATTER ON CALENDAR FOR CASE MANAGEMENT CONFERENCE RE: STATUS REPORT

COUNSEL ELLIS STATES PLAINTIFFS HAVE SETTLED WITH DEFENDANT AMERICAN CONTRACTORS INDEMNITY COMPANY. PLAINTIFFS AND CROSS-COMPLAINANT WILL BE PROCEEDING BY DEFAULT JUDGMENTS ON REMAINING PARTIES.

IT IS ORDERED:

THE TRIAL SCHEDULE IS VACATED

FUTURE CASE MANAGEMENT CONFERENCE SET 04/22/2016 AT 9:00 AM IN DEPARTMENT E FOR RECEIPT OF DEFAULT JUDGMENT PACKAGES

APPEARANCE DROPPED FOR 04/22/2016 AT: 09:00 AM FOR APPEARANCE TYPE: TRCL IN DEPARTMENT: D08  
DROP REASON: VACATED

HEARING CONFIRMED FOR: 04/22/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08  
ENTERED BY: J. DALE

04/22/2016 MINUTE ORDER POSTED - Appearance: 04/22/2016 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK P. OKUBO  
COURT CALL APPEARANCE BY MICHAEL ELLIS FOR PLAINTIFF  
NO APPEARANCE BY OR FOR THE DEFENDANT AMERICAN CONTRACTORS INDEMNITY COMPANY.  
HEARING BEFORE TRIAL  
WRAPPING CASE UP. NEED 20-30 DAYS TO FINISH WRAPPING-UP.  
IT IS ORDERED: FUTURE CASE MANAGEMENT CONFERENCE DATE: 6/30/16 TIME: 9:00 A.M.  
HEARING CONTINUED TO: 06/30/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM  
DATE: 04/22/2016 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
ENTERED BY: P. OKUBO  
NOTICE OF HEARING MAILED

05/23/2016 PARTIAL DISMISSAL AS TO: DEFT, AMERICAN CONTRACTORS INDEMNITY COMPANY WITH PREJUDICE

06/02/2016 JUDGMENT FOR JUDGMENT BY COURT BY DEFAULT: JUDGMENT FOR CROSS-COMPLAINANT AMERICAN  
CONTRACTORS INDEMNITY COMPANY AND AGAINST CROSS-DEFENDANT BUCK DEPAULA, AN INDIVIDUAL  
\$6,250.00 DAMAGES, \$900.00 ATTORNEY FEES, \$666.75 COSTS FOR A TOTAL JUDGMENT IN THE AMOUNT OF  
AGAINST \$7,816.75 JUDGE PAUL M. HAAKENSEN

06/30/2016 MINUTE ORDER POSTED - Appearance: 06/30/2016 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL M HAAKENSEN , REPORTER NOT REPORTED , DEP CLK C. ASLESON  
ATTORNEY MICHAEL ELLIS APPEARED FOR PLAINTIFFS  
NO APPEARANCE BY OR FOR THE DEFENDANTS  
HEARING BEFORE TRIAL  
MATTER IS ON CALENDAR FOR CASE MANAGEMENT RE RECEIPT OF DEFAULT JUDGMENT PACKAGES  
THE DEFAULT JUDGMENT PACKAGE SUBMITTED  
IT IS ORDERED:  
THE COURT WILL REVIEW THE JUDGMENT PACKAGE  
FUTURE CASE MANAGMENT CONFERENCE 08/02/16 AT 9:00AM IN DEPARTMENT E FOR STATUS REPORT RE  
DEFAULT JUDGMENT  
HEARING CONTINUED TO: 08/02/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM  
DATE: 06/30/2016 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
ENTERED BY: C. ASLESON

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MARIN		
BERNARD KERR, ET. AL.  PLAINTIFF(s)  VS.  DIPAULA ROOFING, ET. AL.  DEFENDANT(s)	DATE FILED:	10/17/2014
	CASE TYPE:	COMPLAINT
	CASE SUBTYPE:	PERSONAL INJURY - OTHER
	DATE OF LAST ACTIVITY:	10/14/2016
	DATE/TIME RUN:	05/15/2024 05:13 AM
REGISTER OF ACTIONS	CASE NUMBER:	CIV 1403987

08/02/2016 MINUTE ORDER POSTED - Appearance: 08/02/2016 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL M. HAAKENSEN , REPORTER NOT REPORTED , DEP CLK C. TAI  
ATTORNEY MIKE ELLIS APPEARED FOR PLAINTIFF  
HEARING BEFORE TRIAL  
COUNSEL SHALL EITHER AMEND COMPLAINT OR SUBMIT A NEW DEFAULT PACKAGE.  
IT IS ORDERED:  
THIS MATTER CONTINUED TO 9/28/16 FOR STATUS OF DEFAULT  
HEARING CONTINUED TO: 09/28/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM  
DATE: 08/02/2016 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
ENTERED BY: S.D.

09/28/2016 MINUTE ORDER POSTED - Appearance: 09/28/2016 at 9:00AM for CASE MANAGEMENT CONFERENCE  
JUDGE/PROTEM/REFEREE PAUL HAAKENSEN , REPORTER NOT REPORTED , DEP CLK S. HENDRYX  
ATTORNEY MICHAEL ELLIS APPEARED FOR PLAINTIFFS  
NO APPEARANCE BY OR FOR THE OTHER PARTIES  
HEARING BEFORE TRIAL  
MR. ELLIS SUBMITTED DEFAULT JUDGMENT PAPERWORK TO THE COURT ON 9/27/16.  
IT IS ORDERED: THE CASE MANAGEMENT CONFERENCE SHALL BE CONTINUED TO 11-22-16 AT 9:00 A.M. FOR  
RECEIPT OF DEFAULT JUDGMENT.  
HEARING CONTINUED TO: 11/22/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08 FROM  
DATE: 09/28/2016 FROM TIME: 09:00 AM FROM APPEARANCE TYPE: CMGT FROM DEPARTMENT: D08  
NOTICE OF HEARING MAILED TO COUNSEL FOR CROSS-COMPLAINANT  
ENTERED BY: SH

10/04/2016 CASE DISPOSED BEFORE TRIAL - OTHER JUDGMENTS JUDGMENT BY COURT BY DEFAULT: JUDGMENT IS FOR  
PLAINTIFFS BERNARD KERR AND SIRI DAYTON AND AGAINST DEFENDANTS DIPAULA ROOFING AND BUCK  
DIPAULA \$25,000.00 DAMAGES, FOR A TOTAL JUDGMENT IN THE AMOUNT OF \$25,000.00. JUDGE PAUL M.  
HAAKENSEN (COPIES LEFT IN WILL CALL UNDER MARIN PROCESS SERVICE)

10/04/2016 (COPIES OF JUDGMENT LEFT IN WILL CALL UNDER MARIN PROCESS SERVICE)

10/04/2016 CASE DISPOSED IN ENTIRETY

10/14/2016 APPEARANCE DROPPED FOR 11/22/2016 AT: 09:00 AM FOR APPEARANCE TYPE: CMGT IN DEPARTMENT: D08  
DROP REASON: JUDGMENT ENTERED 10/4/16