

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(name and Address)</i> : _____ TELEPHONE NO.: _____ ATTORNEY FOR <i>(Name)</i> : _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
NOTICE OF MOTION / MOTION FOR ORDER TRANSFERRING CASE TO APPROPRIATE COURT (CHANGE OF VENUE) [CCP §396b]	
CASE NUMBER: _____	

Hearing Date: _____ **Time:** _____ **Courtroom:** _____
Filing Date of Original Complaint or Petition in this Case: _____

Defendant(s)/Respondent(s), _____, hereby move(s) for an order transferring this action from the Superior Court of the State of California, County of Ventura to the Superior Court of the State of California, County of _____. This motion is made pursuant to Code of Civil Procedure Sections 392 through 396b.

DECLARATION

I/we, _____, declare as follows:

1. I/we am/are the defendant(s)/respondent(s) in this case.
2. I/we am/are current residents of the County of _____, State of _____.
3. The alleged claim on which I/we am/are being sued arose or occurred in the County of _____ State of _____.
4. At the time the alleged claim on which I/we am/are being sued arose or occurred, I/we was/were residents of the County of _____, State of _____.
5. The real property upon which the alleged claims in this lawsuit are based is located in the County of _____, State of _____.
6. The alleged contract upon which the alleged claims in this lawsuit are based was entered into in the County of _____, State of _____.
7. The alleged contract upon which the alleged claims in this lawsuit are based was to be performed in the County of _____, State of _____.

I declare, under penalty of perjury under California State law that the information above is true and correct.

Date: _____
(Defendant/Respondent's printed name) *(Defendant/Respondent's signature)*

Date: _____
(Defendant/Respondent's printed name) *(Defendant/Respondent's signature)*

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POINTS AND AUTHORITIES

- Paragraph(s) _____ of the complaint identify the contract/incident/claim to have occurred or arose in the County of _____, State of _____.
- Code of Civil Procedure § 392 provides that in cases concerning real property, the proper court for the case is in the county where the real property is located.
- Code of Civil Procedure § 393 provides that in cases concerning the recovery of a penalty or forfeiture imposed by law, the proper court for the case is in the county where the cause arose.
- Code of Civil Procedure § 395 provides that cases should be brought in the county where one or more of the defendants reside at the time the lawsuit is filed.
- Code of Civil Procedure § 396a provides that cases involving
 - installment sales under Civil Code §1812.10;
 - financing of motor vehicle sales under Civil Code §2984.4; or
 - other goods, services, loans or extensions of credit intended primarily for personal, family or household use under Code of Civil Procedure §395(b)
 should be brought in the county where 1) the buyer or lessee lived at the time the contract was entered into, 2) the buyer or lessee signed the contract, or 3) the buyer or lessee lives at the time the case is filed.

Code of Civil Procedure §396b provides that a court can transfer a case to the proper court upon a motion brought by a defendant prior to, or at the time of, filing an answer or other response to the complaint.

Respectfully submitted,

Date: _____
(Defendant's printed name)
(Defendant's signature)

Date: _____
(Defendant's printed name)
(Defendant's signature)