

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

893

DATE: 07/02/92

DEPT. 30

HONORABLE David Horowitz

JUDGE

S. ROBLES

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

C. AGUIRRE, CSL

Deputy Sheriff

CECIL KNICKERBOCKER #8684 Reporter

8:30 am

BC052395
Church of Scientology, etc.
VS
Gerald Armstrong, et al.

170.6 JUDGE GEERNAERT

Plaintiff LAURIE J. BARTILSON (x)
Counsel

Defendant PAUL MORANTZ (x)
Counsel

NATURE OF PROCEEDINGS:

DEMURRER OF DEFENDANT TO PLAINTIFFS AMENDED VERIFIED COMPLAINT FOR DAMAGES AND FOR PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF FOR BREACH OF CONTRACT;

MOTION OF THE ABOVE TO STRIKE SURPLUSAGE, IRRELEVANT, AND IMPROPER MATERIAL FROM AMENDED VERIFIED COMPLAINT FOR DAMAGES AND FOR PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF FOR BREACH OF CONTRACT;

Demurrer OVERRULED. Plaintiff has stated a cause of action.

Whether the agreement is just, reasonable, supported by adequate consideration, or against public policy are matters of proof.

Motion to Strike:

GRANTED as to paragraph 3, page 3, lines 8-10. The language "appears to delight" is inflammatory, irrelevant and is improper.
GRANTED as to paragraph 12, page 4 - page 6, line 13. The language contained in paragraph 12 is inflammatory and unnecessary and is improper. DENIED as to remaining requests to strike.

The Court makes no ruling as far as the contract is concerned. Answer within 20 days.

Moving party shall give notice.