		red ru
1	NINUS MALAN	는 1 전
2	806 West Thorn St. San Diego, CA 92103	SELLE
3	(619) 750-2024 ninusmalan@yahoo.com	For Forthe Superior Court D  APR 1 9 2021  By: Deputy
4		Bu- 1 9 2021
5	In Pro Per	By:Deputy
6		
7		
8	SUPERIOR COURT OF THE	STATE OF CALIFORNIA
9		
	COUNTY OF SAN DIEGO-CENTRAL DIVISION	
10	CHRIS HAKIM, an individual,	Case No. 37-2020-00045859-CU-BC-CTL
11	Plaintiff,	IMAGED FILE
12	vs.	
13	NINUS MALAN, an individual; SALAM	NOTICE OF HEARING ON DEMURRER
14	RAZUKI, an individual; RM PROPERTIES, LLC, a California limited liability company;	AND DEMURRER BY DEFENDANT NINUS MALAN TO COMPLAINT BY
15	SAN DIEGO UNITED HOLDINGS GROUP, LLC, a California limited liability company;	PLAINTIFF CHRIS HAKIM
1.6	BALBOA AVE COOPERATIVE, a California nonprofit mutual benefit corporation; SUNRISE	[Code of Civil Procedure §§430.10(e), 430.10(f), 761.020 and 761.020(a)]
17	PRÔPERTY INVESTMENTS, LLC, a California j limited liability company; SUPER 5 HIGHWAY	)
18	CONSULTING GROUP, LLC; a California limited liability company; ALL PERSONS OR	
19	ENTITIES UNKNOWN, CLAIMING ANY	
	LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE	) 
20	PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFF'S	Date: May 28, 2021 Time: 11:00 a.m.
21	TITLE, OR ANY CLOUD UPON PLAINTIFF'S ) TITLE THERETO, and; DOES 1 THROUGH 50, )	Judge: Hon. Katherine Bacal Dept.: C-69
22	Defendants.	Date Filed: December 14, 2020
23		Trial Date: Not Set
24	NOTICE OF HEARING	
25		
26	NOTICE IS HEREBY GIVEN that on May 28, 2021, at 11:00 a.m., or as soon	
27	thereafter as the matter may be heard in Department C-69 of the Superior Court of the State of	
28	California, County of San Diego, Central Division,	located at 330 West Broadway, San Diego,
4U	NOTICE OF HEARING ON DEMURRER AND DEMURRER BY DEFENDANT NINUS MALAN TO COMPLAINT BY PLAINTIFF CHRIS HAKIM	

California a hearing will be held on the Demurrer by Ninus Malan ("Malan") to Plaintiff Chris Hakim's Complaint filed December 14, 2020 ("Complaint").

The Demurrer stated below is brought under *Code of Civil Procedure* §430.10(e) based on that neither the Complaint nor any cause of action pled therein states facts sufficient to constitute a cause of action against Malan, and *Code of Civil Procedure* §430.10(e) because the Complaint is vague, ambiguous and uncertain. It is also brought under *Code of Civil Procedure* §§761.020 and 761.020(a) as to the Fifth Cause of Action (Quiet Title) because it is not verified and does not set forth the required descriptions of the properties as to which Plaintiff seeks to quiet title. The Demurrer is based on this Notice of Demurrer and Demurrer and the Memorandum of Points and Authorities, Exhibits 1 and 2 and Request for Judicial Notice filed in Support hereof, as well as any additional pleadings filed hereafter and argument presented at the hearing on this Demurrer.

The Court may, but is not required to, issue a tentative ruling prior to the hearing on this motion under California Rules of Court, Rule 3.1308. Any tentative ruling that is issued may be accessed on the Court's website at <a href="http://www.sdcourt.ca.gov">http://www.sdcourt.ca.gov</a> by clicking on the "Tentative Rulings" link under the Civil tab or by telephone from the independent calendar clerk for the assigned department.

As of the date this motion is filed, the Court is not hearing motions in open court but rather by telephonic or video appearance through CourtCall. All parties desiring to appear must make separate arrangements to do so through CourtCall at its website <a href="www.courtcall.com">www.courtcall.com</a> or by telephone at (888) 882-6878.

## DEMURRER

Malan demurs to Plaintiff's Complaint as follows:

The First Cause of Action for Breach of Written Contract does not state facts sufficient to constitute a cause of action against Defendant Malan [Code of Civil Procedure §430.10(e)] and is ambiguous and uncertain [Code of Civil Procedure §430.10(f)].

The Second Cause of Action for Breach of Fiduciary Duty does not state facts sufficient to constitute a cause of action against Defendant Malan [Code of Civil Procedure §430.10(e)]

and is ambiguous and uncertain [Code of Civil Procedure §430.10(f)]. The Third Cause of Action for Fraud does not state facts sufficient to constitute a cause of action against Defendant Malan [Code of Civil Procedure §430.10(e) and is ambiguous and uncertain [Code of Civil Procedure §430.10(f)]. The Fourth Cause of Action for Declaratory Relief does not state facts sufficient to constitute a cause of action against Defendant Malan. Code of Civil Procedure §430.10(e) and is ambiguous and uncertain [Code of Civil Procedure §430.10(f)]. The Fifth Cause of Action for Quiet Title does not state facts sufficient to constitute a cause of action against Defendant Malan. Code of Civil Procedure §§430.10(e), 761.020, 761.020(a) and is ambiguous and uncertain [Code of Civil Procedure §430.10(f)]. Dated: February 23, 2021 Ninus Malan In Pro Per