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MARY CUMMINS
Defendant
645 W. 9th St. #110-140
Los Angeles, CA 90015
In Pro Per
Telephone: (310) 877-4770
Email: mmmaryinla@aol.com

FILED
Superior Court of California
County of Los Angeles

JUL 23 2015

Sherri R. Carter, Executive Officer/Clerk
By Nancy Alvarez Deputy

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

BAT WORLD SANCTUARY,
AMANDA LOLLAR
Plaintiff
v.
MARY CUMMINS
Defendant

Case No. BS140207

**MOTION FOR ORDER TO SHOW
CAUSE RE: VACATION OF
SISTER-STATE JUDGMENTS
/ORDERS**

**Date: August 3, 2015
Time: 8:30 a.m.
Room:
Judge: Robert Hess**

Day

RELIEF REQUESTED

Defendant Mary Cummins, (hereinafter "Defendant") respectfully moves the Court for an order requiring Plaintiffs Amanda Lollar and Bat World Sanctuary to appear and show cause why the Motion to Vacate sister-state Judgement/Orders of the Court should not be granted. Defendant Cummins asks the Court to vacate the order in favor of Amanda Lollar, Bat World Sanctuary for approximately \$6,000.00. Defendant Appellant Cummins filed an appeal in the case and just won in part reversing the court order, monetary award and eliminating party Bat World Sanctuary (Exhibit 1).

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CIT/CASE: BS140207
LEAD/DEF#:

07/24/2015

INTRODUCTION

Defendant was sued for defamation and breach of contract. Defendant never defamed or breached a contract. The court nevertheless signed the judgment in 2012. Since then Defendant filed an appeal¹ July 15, 2012. After 18 months the Second Court of Appeals of Texas finally released their opinion April 9, 2015 (Exhibit 1). The Appeals Court reversed part of the judgment namely all causes related to breach of contract, attorney fees, liquidated damages and party Bat World Sanctuary. The Court also reversed the court order as they deemed it unconstitutional.

Defendant is filing a motion for rehearing on the remaining cause for very strong reasons. Every word Defendant stated was the absolute truth. All items stated came from honest, fair and privileged reports to authorities backed up by physical evidence. The remaining items were stated by Plaintiff, others or government agencies. A few items had nothing to do with Plaintiff. If Defendant doesn't win the rehearing, Defendant will appeal to the Supreme Court of Texas.

FACTUAL BACKGROUND

November 9, 2012 the Orders to be vacated were entered.

January 4, 2013 Declaration of Non-service was filed by Plaintiffs.

March 27, 2013 Plaintiffs filed proof of service of notice re sister state judgment docs.

April 25, 2013 Plaintiffs filed an abstract of judgment inre Amanda Lollar for \$6,121,039.42 and Bat World Sanctuary for \$190,877.08.

April 9, 2015 Second Court of Appeals released their opinion striking part of the order, reversing part of the judgment and eliminating party Bat World Sanctuary completely.

STATEMENT OF THE CASE AND GROUNDS TO VACATE THE ORDER

The Orders should be vacated for the following reasons.

¹ <http://www.search.txcourts.gov/Case.aspx?cn=02-12-00285-CV&coa=coa02>

07/24/2015

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**PROOF OF SERVICE BY MAIL
(FRCivP 5 (b)) or
(CCP 1013a, 2015.5) or
(FRAP 25 (d))**

I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years.

I further declare that on the date hereof I served a copy of:

MOTION TO VACATE SISTER-STATE JUDGMENTS/ORDERS

on the following interested parties by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at 645 W. 9th St. #110-140, Los Angeles, CA 90015-1640.

Plaintiffs' Attorney
David C Watts
1260 Lake Blvd #218
Davis, CA 95616

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed this day, April 21, 2015, at Los Angeles, California.

Respectfully submitted,

Mary Cummins

Mary Cummins, Plaintiff

Dated: April 21, 2015

645 W. 9th St. #110-140

Los Angeles, CA 90015

07/24/2015