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| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____ | Clerk stamps below when form is filed |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CRUZ <input type="checkbox"/> 701 Ocean Street, Room 110 Santa Cruz, CA 95060 <input type="checkbox"/> 1 Second Street, Room 300 Watsonville, CA 95076 | |
| PLAINTIFF: DEFENDANT: | |
| NOTICE OF MOTION AND MOTION FOR ORDER: <input type="checkbox"/> TO MODIFY ORDER <input type="checkbox"/> TO TERMINATE ORDER <input type="checkbox"/> TO SET ASIDE AND GRANT A NEW HEARING <input type="checkbox"/> Civil Harassment <input type="checkbox"/> Workplace Violence | CASE NUMBER: _____ |

TO: (Name) _____

Notice is given that a hearing on the relief requested in this motion will be held as follow:

Date of Hearing: _____ Time: _____ Dept.: _____

The current restraining orders stay in effect until the hearing date.

The other party must be served per Code of Civil Procedure section 1005(b)

1. I am the Plaintiff (Protected Party)
 Defendant (Restrained Party):

2. Currently the following type of restraining order was issued by the Santa Cruz Superior Court in this case:

- Civil Harassment
 Workplace Violence

3. This current order will expire on: _____, a copy of the order is attached.

4. I am requesting that the court:

- Modify the current order
- Terminate the current order
- Set Aside and Grant a New Hearing based on the following ground (s):

CCP 473: Mistake, inadvertence, surprise or excusable neglect. This set aside request is filed within a reasonable time, and in no event later than 6 months from the date the judgment, dismissal, order or proceeding was taken.

CCP 473.5: Lack of Notice: The Service of the summons has not resulted in actual notice in time for me to defend the action. This set aside request is filed within a reasonable time, and no later than the earlier of 180 days after service of written notice, or 2 years after entry of judgment.

Other (write in code section): _____

Note: With a set aside request you must attach a proposed Response/Answer (this is the same Response/Answer form that would have been originally used in this case).

5. I am making this request based for the following reasons (you must provide a statement with facts supporting your request): See Attached Declaration:

6. I will bring a proposed order with me to court.

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

Date: _____

Print your name

Sign your name