

ENDORSED
FILED
Superior Court of California
County of San Francisco

DEC 15 2015

CLERK OF THE COURT

BY: SEAN KANE
Deputy Clerk

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10 Attorneys for Plaintiffs
11 CITY AND COUNTY OF SAN FRANCISCO and
PEOPLE OF THE STATE OF CALIFORNIA

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SAN FRANCISCO
14 UNLIMITED JURISDICTION
15

16 CITY AND COUNTY OF SAN
FRANCISCO, a Municipal Corporation, and
17 the PEOPLE OF THE STATE OF
CALIFORNIA, by and through DENNIS J.
18 HERRERA, City Attorney for the CITY AND
COUNTY OF SAN FRANCISCO,

19
20 Plaintiffs,

21 vs.

22 ANNE KIHAGI aka ANNA KIHAGI aka
ANNA SWAIN aka ANNE KIHAGI SWAIN
23 aka ANNA KIHAGI SWAIN, JULIA
MWANGI aka JULIA MUNENE,
24 CHRISTINE MWANGI aka CHRISTINA
MWANGI aka CHRISTINE JOHNSON,
25 XELAN PROP 1, LLC, RENKA PROP, LLC,
NOZARI 2, LLC, ZORIAL, LLC, and DOE
26 ONE THROUGH DOE FIFTY,

27 Defendants.
28

Case No. CGC-15-546152

^{MK}
~~PROPOSED~~ ORDER OVERRULING
DEFENDANT CHRISTINE MWANGI'S
DEMURRER TO FIRST AMENDED
COMPLAINT

Hearing Date: December 15, 2015
Hearing Judge: Hon. Harold E. Kahn
Time: 9:30 a.m.
Place: Dept. 302

Date Action Filed: June 4, 2015
Trial Date: Not Yet Set

1 Defendant CHRISTINE MWANGI's Demurrer to First Amended Complaint ("Demurrer") in
2 the above-entitled action came on for hearing on December 15, 2015 at 9:30 a.m. in Department 302
3 of the San Francisco Superior Court, the Honorable Harold E. Kahn presiding. Plaintiffs CITY AND
4 COUNTY OF SAN FRANCISCO and PEOPLE OF THE STATE OF CALIFORNIA (collectively
5 "Plaintiffs") appeared through their counsel of record, Deputy City Attorney Megan Cesare-Eastman
6 of the San Francisco City Attorney's Office. Defendant appeared through her counsel of record
7 Aleksandr Volkov, Esq.

8 Based on the evidence presented, the complete file in this matter, the oral argument of the
9 parties, and GOOD CAUSE APPEARING, it is the order of this Court that Defendant's Demurrer is
10 OVERRULED in its entirety.

11 IT IS FURTHER ORDERED THAT:

12 1. While the allegations against Defendant are thin, they are sufficient to withstand a
13 demurrer.

14 2. If Defendant wishes further specificity and if she believes she is entitled to have the
15 claims alleged against her adjudicated in her favor, her recourse is to serve discovery and file a
16 summary judgment motion.

17 3. Defendant has 30 days to answer.
IT IS SO ORDERED.

18 Dated: 12/15/15



HON. HAROLD E. KAHN
JUDGE OF THE SUPERIOR COURT

21 *CCSF, et al. v. Kihagi, et al.*
22 S.F. Superior No. CGC 15-546152