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9 TRI PALM UNIFIED OWNERS ASSOCIATION

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**COUNTY OF RIVERSIDE, PALM SPRINGS COURT**

ALEX CHEVELDAVE, an individual; and  
RICHARD N. DAVIS, an individual;

Plaintiffs,

v.

TRI PALM UNIFIED OWNERS  
ASSOCIATION; KORT & SCOTT  
FINANCIAL GROUP, LLC;  
SHENANDOAH VENTURES, L.P., a  
California Limited Partnership;  
and DOES 1 - 20;

Defendants.

CASE NO. PSC 1600368

Assigned for all purposes to:  
Honorable James T. Latting  
Department PS I

**NOTICE OF MOTION AND MOTION OF  
DEFENDANT TRI PALM UNIFIED  
OWNERS ASSOCIATION TO STRIKE  
PLAINTIFFS' COMPLAINT AND FOR AN  
AWARD OF ATTORNEYS' FEES AND  
COSTS [CCP §§ 425.16]**

Date: March 22, 2016  
Time: 8:30 a.m.  
Dept.: PS 1

Complaint Filed: January 26, 2016  
Trial Date: None Set

**TO PLAINTIFFS ALEX CHEVELDAVE AND RICHARD N. DAVIS AND TO  
THEIR COUNSEL OF RECORD:**

**NOTICE IS HEREBY GIVEN** that on March 22, 2016, at 8:30 a.m., or as soon  
thereafter as the matter may be heard, in Department PS 1 of the above-entitled Court, located  
at 3255 E. Tahquitz Canyon Way, Palm Springs, CA 92262, before the Honorable James T.  
Latting, Judge Presiding, Defendant TRI PALM UNIFIED OWNERS ASSOCIATION

1 (“Association”) will move this Court to strike the Complaint filed against the Association, in  
2 its entirety, pursuant to Code of Civil Procedure §425.16, under res judicata and collateral  
3 estoppel principles and on the ground the Complaint is barred under the anti-SLAPP statute as  
4 an interference with the Association’s right to petition, which is a protected activity under the  
5 United States Constitution.

6 The Association will further move to be awarded its attorneys’ fees and costs, as the  
7 prevailing party on the motion, pursuant to Code of Civil Procedure §425.16(c).

8 The Association’s Motion will be based upon this Notice, the Memorandum of Points  
9 and Authorities, the Request for Judicial Notice and Notice of Lodgment, filed herewith, on  
10 the pleadings, files and records on file herein and upon such other and further evidence as may  
11 be presented at the hearing of the Motion.

12 **NOTICE IS FURTHER GIVEN THAT** prior to the hearing, the Court may issue a  
13 tentative ruling. Parties may obtain the tentative ruling on the Riverside Superior Court’s  
14 website the day prior to the scheduled hearing. Oral argument must be requested no later than  
15 4:30 p.m. on the court day prior to the scheduled hearing by calling (760) 904-5722 and by  
16 informing all other counsel.

17  
18 Dated: February 24, 2016

EPSTEN GRINNELL & HOWELL, APC

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20 By: 

Rian W. Jones/Joyce J. Kapsal  
Attorneys for Defendant Tri Palm Unified  
Owners Association