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In pro per

FILED

APR 10 2020

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY

DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VERONICA BRILL; KASEY LYN
MILLS; MARC GOONE; NAVROOP
SHERGILL; JASON SCOTT; AZAAN
NAGRA; ELI JAMES; PHUONG
PHAN; JEFFREY SLUZINKI; HARLAN
KARNOFSKY; NATHAN PELKEY;
MATT HOLTZCLAW; JON TUROVITZ;
ROBERT YOUNG; BLAKE ALEXANDER
KRAFT; JAMAN YONN BURTON;
MICHAEL ROJAS; HAWNLAY SWEN;
THOMAS MORRIS III; PAUL
LOPEZ; ROLANDO CAO; BENJAMIN
JACKSON; HUNG SAM; COREY
CASPERS; ADAM DUONG,

Plaintiffs,

v.

MICHAEL L. POSTLE; KING'S
CASINO, LLC D/B/A STONES
GAMBLING HALL; JUSTIN F.
KURAITIS; JOHN DOES 1-10;
JANE DOES 1-10,

Defendants.

No. 2:19-CV-02027-WBS *MC*

**DEFENDANT MICHAEL POSTLE'S
AMENDED NOTICE OF MOTION TO
DISMISS PLAINTIFFS' COMPLAINT**

Date: May 18, 2020
Time: 1:30 pm
Courtroom: 5, 14th Floor
Judge: Hon. William B. Shubb

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on May 18, 2020, at 1:30 pm, or as
soon thereafter as this matter may be heard before the Honorable

1 William B. Shubb, U.S. District Judge of the Eastern District of
2 California, located at Courtroom 5, 14th Floor, Robert T. Matsui
3 Federal Courthouse, 501 I Street, Sacramento, CA 95814, Defendant
4 Michael Postle will and hereby does move this Court for an order
5 dismissing the claims against him in Plaintiffs Veronica Brill,
6 et al.'s First Amended Complaint for failure to state a claim
7 upon which relief may be granted and failure to allege claims of
8 fraud and misrepresentation with the required particularity under
9 Fed. R. Civ. P. 8, 9(b), 12(b)(6); 28 U.S.C. § 1367.

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11 Respectfully submitted,

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14 Date: April 10, 2020

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16 MICHAEL POSTLE

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PROOF OF SERVICE

I, Rose Postle, declare:

I am a citizen of the United States and employed in the City and County of Sacramento, CA. I am over the age of 18 and not a party to the within action; my business address is -

2219 Catherwood Way, Sacramento, CA 95835

On April 10, 2020, I served the following document(s) described as:

**DEFENDANT MIKE POSTLE'S AMENDED NOTICE OF MOTION TO DISMISS
PLAINTIFFS' COMPLAINT**

BY FACSIMILE TRANSMISSION: As follows: The papers have been transmitted to a facsimile machine by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he or she has filed in the cause and served on the party making the service. The copy of the notice or other paper served by facsimile transmission shall bear a notation of the date and place of transmission and the facsimile telephone number to which transmitted or be accompanied by an unsigned copy of the affidavit or certificate of transmission which shall contain the facsimile telephone number to which the notice of other paper was transmitted to the addressee(s).

BY MAIL: As follows: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, CA, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY OVERNIGHT MAIL: As follows: I am readily familiar with the firm's practice of collection and processing correspondence for overnight mailing. Under that practice, it would be deposited with overnight mail on that same day prepaid at San Francisco, CA in the ordinary course of business.

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