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4  
Attorney for Plaintiff  
5 \_\_\_\_\_ [name] \_\_\_\_\_

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7

8 Superior Court of the State of California

9 County of Los Angeles

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11 \_\_\_\_\_ [name] \_\_\_\_\_, )  
 ) Case No. \_\_\_\_\_  
12 Plaintiff, )  
 ) Declaration by Successor in Interest  
13 v. ) (Code Civ. Proc. § 377.32)  
 )  
14 \_\_\_\_\_ [name] \_\_\_\_\_, )  
 )  
15 Defendant. )  
\_\_\_\_\_ )

16

17 Plaintiff \_\_\_\_\_ [name] \_\_\_\_\_ declares under penalty of perjury as follows:

18 1. I have personal knowledge of the facts set forth in this declaration  
19 and would be competent to testify as to those facts if called and sworn as a  
20 witness.

21 2. The decedent on whose claim I am suing as successor in interest was  
22 named \_\_\_\_\_ [name] \_\_\_\_\_.

23 3. Decedent \_\_\_\_\_ [name] \_\_\_\_\_ died on \_\_\_\_\_ [date] \_\_\_\_\_ in  
24 \_\_\_\_\_ [location] \_\_\_\_\_.

25 4. No proceeding is now pending in California for administration of the  
26 decedent's estate.

27 5. A copy of the final order showing the distribution to me of the dece-  
28 dent's cause of action is attached to this declaration as Exhibit A.

**Declaration by Successor in Interest**

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[or]

5. The decedent's estate was not administered.

6. The declarant is the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) and succeeds to the decedent's interest in the action or proceeding, as follows:

[set forth facts supporting this allegation]

[or]

6. The declarant is authorized to act on behalf of the decedent's successor in interest (as defined in Section 377.11 of the California Code of Civil Procedure) with respect to the decedent's interest in the action or proceeding, as follows:

[set forth facts supporting this allegation]

7. No other person has a superior right to commence the action or proceeding or to be substituted for the decedent in the pending action or proceeding.

8. A certified copy of the decedent's death certificate is attached to this declaration as Exhibit B.

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
[name]  
Plaintiff

1 John Hobart  
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Attorney for Plaintiff  
5 \_\_\_\_\_ [name] \_\_\_\_\_

6  
7

8 Superior Court of the State of California  
9 County of Los Angeles

10

11 \_\_\_\_\_ [name] \_\_\_\_\_, )  
 ) Case No. \_\_\_\_\_  
12 Plaintiff, )  
 ) Application for Appointment of  
13 v. ) a Guardian ad Litem  
 )  
14 \_\_\_\_\_ [name] \_\_\_\_\_, )  
 )  
15 Defendant. )  
\_\_\_\_\_ )

16

17 Plaintiff \_\_\_\_\_ [name] \_\_\_\_\_\* applies for the appointment of \_\_\_\_\_  
18 \_\_\_\_\_ [name] \_\_\_\_\_ as his guardian ad litem and declares under penalty of perjury as  
19 follows:

20 1. I have personal knowledge of the facts set for in this application  
21 and would be competent to testify as to those facts if called and sworn as a  
22 witness.

23 2. I am a prospective plaintiff in the above-captioned civil action.

24 3. I was born on \_\_\_\_\_ [date] \_\_\_\_\_, have attained the age of \_\_, and  
25 therefore lack the capacity to prosecute this action in my own name.

26 4. \_\_\_\_\_ [name] \_\_\_\_\_ is my \_\_\_\_\_ [relationship] \_\_\_\_\_, is qualified to act  
27 as guardian ad litem on my behalf in the above-captioned civil action, and has  
28 consented to his appointment as my guardian ad litem.

1 Therefore, I apply to the Court for an order appointing \_\_\_\_\_ [name] \_\_\_\_\_  
2 as my guardian ad litem.

3 I declare under penalty of perjury under the laws of the State of Cali-  
4 fornia that the foregoing is true and correct.

5 Dated: \_\_\_\_\_  
6 \_\_\_\_\_ [name] \_\_\_\_\_  
Plaintiff

7 Consent to Appointment

8 I, \_\_\_\_\_ [name] \_\_\_\_\_, consent to my appointment as guardian ad litem for  
9 plaintiff \_\_\_\_\_ [name] \_\_\_\_\_ in the above-captioned civil action.

10 Dated: \_\_\_\_\_  
11 \_\_\_\_\_ [name] \_\_\_\_\_

12 Order

13 For good cause shown, it is ordered that \_\_\_\_\_ [name] \_\_\_\_\_ is appointed as  
14 guardian ad litem for plaintiff \_\_\_\_\_ [name] \_\_\_\_\_ in the above-captioned civil  
15 action.

16 Dated: \_\_\_\_\_  
17 \_\_\_\_\_ Judge

28 \*This form is designed for a minor who has achieved the age of 14 and may therefore apply for the appointment of a guardian ad litem in his own name. If the minor is less than 14, the application must be made by a relative or friend.