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11 MUNICIPAL COURT OF THE STATE OF CALIFORNIA
12 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO
13

14 VALLIE S. BROWN,

15 Plaintiff,

16 v.

17 THOMAS L. COTTON, et al.,

18 Defendants

No. 105 96~~2~~4

JUDGMENT PURSUANT TO
STIPULATION IN OPEN COURT

19 In Department 8, Honorable Demond Zimmerman, Judge
20 Presiding. The default of ELEANOR M. COTTON having been duly
21 filed and entered; this cause came on regularly for
22 settlement conference on July 7, 1994. Plaintiff VALLIE S.
23 BROWN, by and through The Law Offices of Michael S. Rossoff,
24 and defendant THOMAS L. COTTON, in propria persona, having so
25 stipulated in open court that judgment may be entered in this
26 matter the Court ordered the following:

27 IT IS HEREBY, ADJUDGED, ORDERED and DECREED that:
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1 1. Plaintiff VALLIE S. BROWN shall recover from
2 defendants THOMAS L. COTTON and ELEANOR M. COTTON the
3 restitution and possession of those certain premises located
4 at 152 Fillmore Street, in the City of San Francisco, County
5 of San Francisco, State of California (hereinafter
6 "premises").

7 2. Execution of judgment for possession of said
8 premises in this action shall be stayed until July 31, 1994,
9 although a writ shall issue, and the premises shall be posted
10 for eviction prior to that time.

11 3. Plaintiff VALLIE S. BROWN shall forgive the sum
12 of SIX HUNDRED FIFTEEN (\$615.00) DOLLARS to reflect a full
13 forgiveness of all rents and per diem damages due on the
14 premises from May 1, 1994 through July 31, 1994.

15 4. Defendant THOMAS L. COTTON waives and agrees to
16 forbear from the exercise of his right to any stay of
17 eviction, to move for a new trial, and to appeal on any
18 ground from any judgment entered herein.

19 5. Defendant THOMAS L. COTTON warrants that they
20 alone is fully capable of surrendering possession of the
21 premises to plaintiff VALLIE S. BROWN, and no other person,
22 specifically including ELEANOR M. COTTON, is capable of
23 asserting a valid claim of right to possession of the
24 premises.

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1 6. Any personal property of any kind remaining on
2 the premises after defendant THOMAS L. COTTON surrenders
3 possession, shall become the personal property of plaintiff
4 VALLIE S. BROWN. Defendant THOMAS L. COTTON waives further
5 notice of the disposition of such property and waives all of
6 his rights arising under California Civil Code §1983.

7 7. Defendant THOMAS L. COTTON's security deposits,
8 if any, shall be permanently retained by plaintiff VALLIE S.
9 BROWN.

10 8. Each party shall bear their own costs and
11 attorney's fees incurred herein.

12 9. Plaintiff VALLIE S. BROWN and defendant THOMAS L.
13 COTTON mutually release, waive, and forever discharge the
14 other, their agents, assigns and all other persons from any
15 and all claims, damages, rights and causes of action arising
16 from the tenancy of the defendant and between the parties,
17 save and except, those rights and causes of action arising
18 from any breach of this judgment by defendant THOMAS L.
19 COTTON. *a plaintiff Vallie S Brown*

20 It is further understood and agreed by the parties
21 that all other rights are waived including those provided
22 under Civil Code Section 1542 as follows:

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1 Claims not affected by General Release:

2 A general release does not extend to
3 claims which the creditor does not know
4 or suspect to exist in his favor at the
5 time of executing the release, which,
6 if known to him, must have materially
7 affected his settlement with the debtor.

8 *UPON DEFENDANT COMPLIANCE AND THE TERMS OF THIS JUDGEMENT*
9 *AND PREPARATION OF THE PAPERS THERE TO THIS JUDGEMENT*
10 *APPROVED AS TO*
11 *Form and Content:*

12 *SHALL BE VACATED AND DISMISS WITH PREJUDICE*

13 DATED: 7-7-94

14 *Thomas L. Cotton*
15 THOMAS L. COTTON
16 Defendant

17 IT IS SO ORDERED:

18 DATED: 7 July 94

19 *Demard J. Simon*
20 Judge of the Municipal Court
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