

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	Telephone Number	FOR COURT USE ONLY
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY <input type="checkbox"/> Limited Civil Case <input type="checkbox"/> PO BOX 1258, WEAVERVILLE, CA 96093		
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:		
<p style="text-align: center;"><b>ORDER GRANTING MOTION TO</b></p> <input type="checkbox"/> SET ASIDE DEFAULT <input type="checkbox"/> VACATE DEFAULT JUDGMENT <input type="checkbox"/> STAY EXECUTION OF JUDGMENT		CASE NUMBER:

1. Defendant's motion in the above-entitled action came on for hearing before the court on \_\_\_\_\_  
 Plaintiff:     Appeared             in pro per             No appearance  
                    With counsel \_\_\_\_\_  
 Defendant:  Appeared             in pro per             No appearance  
                    With counsel \_\_\_\_\_
  
2. The court being fully advised of the arguments and having considered the evidence on file in this case, finds:
  - a.  The judgment was entered against the defendant due to
    - Defendant was mistaken as to some material fact or law relating to defendant's duty to respond.
    - Through inadvertence and/or oversight, defendant failed to respond timely.
    - Defendant was prevented from responding due to an unexpected condition or situation which arose, without any default or negligence on his/her part, and which ordinary care could not have prevented.
    - Other: \_\_\_\_\_
  - b.  Execution of the judgment should be stayed because:
    - execution at this time would cause defendant to suffer hardship.
    - the judgment has been set aside or modified in accordance with the defendant's motion to vacate default judgment.
    - the judgment has been set aside or modified in accordance with defendant's motion for a new trial.
    - the judgment has been set aside or modified in accordance with defendant's motion for judgment notwithstanding the verdict.
    - the judgment has been set aside or modified in accordance with defendant's motion for relief from forfeiture and restoration of the tenancy under section 1179 of the Code of Civil Procedure.
  
3. IT IS HEREBY ORDERED THAT:
  - the judgment heretofore entered in this action against defendant \_\_\_\_\_ is hereby vacated and set aside.
  - the writ of execution is hereby recalled and quashed.
  - the clerk shall immediately notify the Sheriff's office that the Writ of Execution in this matter is recalled and quashed.
  - the clerk shall set and notify the parties of a new trial date.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Judicial Officer