

Selman Breitman LLP  
ATTORNEYS AT LAW

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SCOTTSDALE INSURANCE  
COMPANY,  
  
Plaintiff,  
  
v.  
  
ALFREDO RAMIREZ DBA RAMIREZ  
LABOR MANAGEMENT and MGR  
DESIGN INTERNATIONAL, INC. ,  
  
Defendants.

Case No. 2:17-cv-02855-JFW (FFMx)  
  
**ENTRY OF JUDGMENT AGAINST  
ALFREDO RAMIREZ DBA  
RAMIREZ LABOR  
MANAGEMENT**  
  
Judge : Hon. John F. Walter  
Courtroom : 7A

After consideration of Scottsdale Insurance Company’s (“Scottsdale”) Motion for Entry of Default Judgment Against Alfredo Ramirez dba Ramirez Labor Management (“Ramirez”) and evidence in support thereof and the lack of opposition to the Motion by Ramirez, this Court orders entry of default judgment in favor of Scottsdale and against defendant Ramirez. This Court also orders the entry of a judgment of \$484.75 in favor of Scottsdale and against Ramirez representing recoverable cost of suit.

With respect to the first cause of action for rescission, the Court rules and judges that the Commercial General Liability Insurance Policy No. CPS1734059, effective May 23, 2013, to May 23, 2014, issued by Scottsdale to “Ramirez Labor Management” (the “Scottsdale Policy”) is rescinded and, is thus *void ab initio* as if

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it never existed. Because the Scottsdale Policy is rescinded, Scottsdale is ordered to return any premium received from Ramirez as consideration for issuing the Scottsdale Policy. Scottsdale may deduct the \$475.75 judgment obtained in this lawsuit from its return of premium and also does not have to pay interest to Ramirez because rescission is based on Ramirez's material misrepresentations to Scottsdale.

With respect the second cause of action for declaratory relief, the Court rules and declares that Scottsdale is not obligated to defend or indemnify any insured in an underlying lawsuit titled *Olga Banuelos v. MGR Design International*, pending in the Superior Court of the State of California, County of Ventura, Case No. 56-2015-00474658-CU-PO-VTA.

**IT IS SO ORDERED.**

DATED: September 25, 2017

  
HON. JOHN F. WALTER