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| ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (<i>under Family Code, §§ 17400, 17406</i>) (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____ | FOR COURT USE ONLY |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | |
| RESPONSE TO NOTICE OF MOTION TO SET ASIDE JUDGMENT OF PATERNITY | |
| HEARING DATE: _____ TIME: _____ DEPT., ROOM, OR DIVISION: _____ | CASE NUMBER: _____ |

1. My position on the facts regarding paternity as alleged in the motion to set aside the judgment and voluntary declaration of paternity, if a declaration was filed regarding the following children, is:

- | | <u>Name of child</u> | | <u>Date of birth</u> |
|----|--|-----------------------------------|----------------------|
| a. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| b. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| c. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| d. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| e. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| f. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| g. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| h. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| i. | <input type="checkbox"/> Additional children are listed on a page attached to this response. | | |

2. My position on genetic testing of each of the following children is:

- | | <u>Name of child</u> | | <u>Date of birth</u> |
|----|--|-----------------------------------|----------------------|
| a. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| b. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| c. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| d. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| e. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| f. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| g. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| h. | <input type="checkbox"/> Agree | <input type="checkbox"/> Disagree | |
| i. | <input type="checkbox"/> Additional children are listed on a page attached to this response. | | |

3. I agree disagree with the request to appoint a guardian ad litem for each of the children subject to this request.

4. The motion is not complete because (*specify*):

5. The motion is not timely because (*specify*):

6. The motion is not proper because (*specify*):

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| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | CASE NUMBER: |
|---|--------------|

7. The facts in support of this response are:
- a. The paternity judgment resulted from a marital dissolution, legal separation, or nullity action.
 - b. The marriage presumption contained in Family Code section 7540 applies.
 - c. The paternity judgment was not issued in California.
 - d. There is another California judgment of paternity in a different case for the same previously established father and child.
 - e. There is a voluntary declaration of paternity, and there is no basis to set it aside.
 - f. Genetic tests were conducted before the judgment that indicated the previously established father is the biological father of the child.
 - g. The paternity judgment is based on an adoption.
 - h. The child was conceived by artificial insemination, and the paternity judgment is based on Family Code section 7613.
 - i. The child was conceived under a surrogacy agreement.
 - j. The motion is not in the best interest of the child because (*specify*):

 - k. Other (*specify*):


Contained in the attached declaration.

8. Number of pages attached: _____

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

Date:

(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF DECLARANT)

| | |
|-----------------------|--------------|
| PETITIONER/PLAINTIFF: | CASE NUMBER: |
| RESPONDENT/DEFENDANT: | |
| OTHER PARENT: | |

PROOF OF SERVICE BY MAIL


1. I am at least 18 years of age, not a party to this case, and a resident of, or an employee in, the county where the mailing took place.
2. My residence or business address is (*specify*):

3. I served a copy of this response by enclosing it in a sealed envelope with first-class postage fully prepaid and depositing it in the United States mail as follows:
 - a. Date of deposit:
 - b. Addressed as follows:
 - c. Place of deposit (*city and state*):

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

Date:

(TYPE OR PRINT NAME)

 _____

(SIGNATURE OF DECLARANT)