

MCSI INTELLIGENT SECURITY

Michael Foster

1-3 Eldridge St. Unit C2

New York, NY 10002

Telephone: (212) 219-2133

(212) 766-2000, (212) 255-4141

Email: Michael.Foster@MetroCommuteSecurity.com

PLAINTIFF PRO SE,

Michael Foster, an individual, and USPTO Trademark Owner MCSI Intelligent Security, FD-2014-06-10

US Class Codes 021, 023, 026, 036, 03- SN:86304785

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO – HALL OF JUSTICE

[CIVIL UNLIMITED]

MICHAEL FOSTER, an individual, and USPTO
Owner MCSI Intelligent Security, FD-2014/06/10
US Class Codes 021, 023, 026, 036, 03- SN:86304785

Plaintiff,

v.

PHILIP T. GILDRED

a/k/a's: Tom Gildred, Thompson Philip
Gildred, Philip T. Gildred Professional
Businesses, The Gildred Family of San Diego.

Defendant.

Case No. 37-2023-00038663-CU-CO-CTL

PLAINTIFF'S COMPLAINT FOR:

- 1. CONSTRUCTIVE FRAUD;**
- 2. UNFAIR BUSINESS PRACTICES**
[Bus. & Prof. Code, § 17200, *et seq.*]
- 3. NEGLIGENT SELECTION;**
- 4. NEGLIGENT INFLICTION OF**
EMOTIONAL DISTRESS;
- 5. NEGLIGENT**
MISREPRESENTATION;
- 6. BREACH OF CONTRACT; and,**
- 7. PROMISSORY ESTOPPEL**

[DEMAND FOR JURY TRIAL]

COMES NOW: Michael Foster, an individual, and USPTO Trademark Owner MCSI Intelligent Security,
FD-2014-06-10. US Class Codes 021, 023, 026, 036, 03- SN:86304785

///

///

///

///

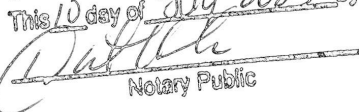
PLAINTIFF'S MOTION TO APPEAR TELEPHONICALLY OR VIA VIDEO
CONFERENCE

Comes now Plaintiff, (hereinafter "Plaintiff"), by and through Pro Se, Pro Hac,
Request excuse because of financial constraint Pro Se Plaintiff is unable to appear in person.
That the requests permission from the Court to appear telephonically or via video conference
be granted forthwith during and throughout each proceeding.

Wherefore, Pro Se Plaintiff respectfully requests:

That this Court grant any such other relief this Court deems just, equitable and proper.

State of New York
County of New York

Subscribed and sworn to before me
This 10 day of July 2023 by

Notary Public

WAN HEE LEI
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01LE6151951
QUALIFIED IN KINGS COUNTY
CERTIFICATE FILED IN NEW YORK COUNTY
COMMISSION EXPIRES AUGUST 23, 2026


Respectfully Submitted

MICHAEL FOSTER

128 BWDY UNIT#260
NEW YORK, NY 10002

**PLAINTIFF'S MOTION TO APPEAR TELEPHONICALLY OR VIA VIDEO
CONFERENCE**

Comes now Plaintiff, (hereinafter "Plaintiff"), by and through Pro Se, Pro Hac,
Request excuse because of financial constraint Pro Se Plaintiff is unable to appear in person.
That the requests permission from the Court to appear telephonically or via video conference
be granted forthwith during and throughout each proceeding.

Wherefore, Pro Se Plaintiff respectfully requests:

That this Court grant any such other relief this Court deems just, equitable and proper.

.

Respectfully Submitted

MICHAEL FOSTER

128 BWDY UNIT#260
NEW YORK, NY 10002

UNITED STATES DISTRICT COURT

for the
Northern District of California

c/o: PLAINTIFF
IN CIVIL MATTER
MICHAEL FOSTER
v
GILDRED ET AL

128 EAST BWDY
UNIT #260
NEW YORK, NY 10002
PHONE NO. (212) 766-2000

)
)
)
)
)
)

Civil Action No.

NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: PHILIP T. GILDRED ET AL AND PHILIP T. GILDRED PROFESSIONAL BUSINESSES AND THE GILDRED FAMILY
OF SAN DIEGO
(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

Why are you getting this?

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within 30 days (give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

What happens next?

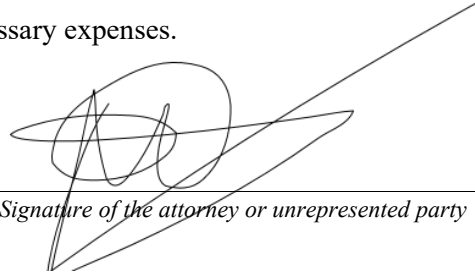
If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: 07/10/2023


Signature of the attorney or unrepresented party

Printed name
MICHAEL FOSTER

128 EAST BWDY,

Address
UNIT 260
NEW YORK, NY 10002

E-mail address
MFOSTER@FOSTERSNET.COM

Telephone number
(212) 766-2000

UNITED STATES DISTRICT COURT

for the
Northern District of California

Plaintiff

v.

Defendant

)
)
) Civil Action No.
)
)

NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: _____
(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

Why are you getting this?

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within _____ days (give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

What happens next?

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: _____

Signature of the attorney or unrepresented party

Printed name

Address

E-mail address

Telephone number