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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

SIGNE DOWSE,

Plaintiff, Cross-Defendant
and Appellant,

v.

GENERAL REMODELING &
CONSTRUCTION CORP., et al.,

Defendants, Cross-Complainants
and Respondents.

B231386

(Los Angeles County
Super. Ct. No. BC429391)

APPEAL from a judgment of the Superior Court of Los Angeles County.

Mary Ann Murphy, Judge. Affirmed.

James Ellis Arden for Plaintiff, Cross-Defendant and Appellant.

Gabriel Salomons, Jonathan G. Gabriel, Gary K. Salomons, Jeffrey P. Alpert and
David S. Mayes, for Defendants, Cross-Complainants and Respondents.

This lawsuit arises from a dispute between a homeowner, Signe Dowse, and two general contractors, General Remodeling & Construction Corporation and A-to-Z Remodeling & Construction, Inc. (Contractors). Dowse sued Contractors for negligence per se, negligent misrepresentation and fraud. Contractors cross-complained for breach of contract and quantum meruit. Dowse moved to strike the cross-complaint under the SLAPP statute. She claimed that the cross-complaint arose from her exercise of her constitutional right of petition in filing her complaint.¹ The trial court denied the motion. We affirm.

Contractors' complaint seeks to collect money allegedly owed them by Dowse for remodeling work done at her home. It contains nothing suggesting it was brought in retaliation for Dowse's suit against Contractors. It does not follow that because Contractors' suit came after Dowse's suit, Contractors' suit "arose from" Dowse's suit. (*City of Cotati v. Cashman* (2002) 29 Cal.4th 69, 77.)

DISPOSITION

The order is affirmed. Respondents are awarded costs on appeal.

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ROTHSCHILD, J.

We concur:

MALLANO, P. J.

JOHNSON, J.

¹ Code of Civil Procedure section 425.16, subdivision (b)(1), states in relevant part: "A cause of action against a person arising from any act of that person in furtherance of the person's right of petition or free speech under the United States Constitution or the California Constitution in connection with a public issue shall be subject to a special motion to strike. . . ."