



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

Case No. 18-cv-01000-AMC

IN RE: THE SECURITIES OFFERINGS AND SALES OF  
ALHAMBRA INVESTMENT MANAGEMENT, INC.

MEMORANDUM OPINION AND ORDER

On September 27, 2018, the Court received a motion for summary judgment filed by Plaintiff, Alhambra Investment Management, Inc. (“AIM”), and its wholly owned subsidiary, Alhambra Investment Management, LLC (“AIM LLC”), against Defendant, [Name Redacted]. The motion seeks summary judgment on the grounds that Defendant’s claims are barred by the statute of limitations and the doctrine of laches. The Court has reviewed the parties’ submissions and finds that summary judgment is appropriate. The Court’s findings are as follows:

**Statute of Limitations.** Defendant’s claims are barred by the statute of limitations. The applicable statute of limitations for Defendant’s claims is the California statute of limitations for breach of contract, which is four years. Defendant’s claims accrued on or before September 27, 2014, and Defendant failed to file its complaint until September 27, 2018. Therefore, Defendant’s claims are barred by the statute of limitations.

**Laches.** Defendant’s claims are also barred by the doctrine of laches. Laches is an equitable defense that bars a claim when the plaintiff’s delay in bringing the claim is unreasonable and prejudicial to the defendant. Defendant’s delay in bringing its claims is unreasonable and prejudicial to Plaintiff. Therefore, Defendant’s claims are barred by laches.

IT IS ORDERED that Defendant’s motion for summary judgment is granted, and its claims are dismissed with prejudice. The Court’s findings are set forth in this memorandum opinion and order.

Dated and filed this 27th day of September, 2018, at San Diego, California.

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Honorable Judge [Name Redacted]

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Sep 27, 2018 at 10:51 AM