6-31/700.00 Objections to Undertakings

The beneficiary may object to an undertaking based upon insufficiency of the sureties or the amount thereof. (CCP 995.920)

An objection to an undertaking must be:

- Made in writing (CCP 995.930(a))
- Made by noticed motion (CCP 995.930(a))
- Shall specify the precise grounds for the objection
    - If a ground for the objection is that the amount of the bond is insufficient, the notice of motion shall state the reason for the insufficiency and shall include an estimate of the amount that would be sufficient (CCP 995.930(a))
    - If a ground for the objection is that the value of property or an interest in property on which the amount of the bond is based exceeds the value estimated in the bond, the objection shall state the beneficiary's estimate of the market value of the property or interest in property (CCP 995.940(a))
- Made within 10 days after service of a copy of the undertaking on the beneficiary* (CCP 995.930(b))

*If the service was done by mail, the appropriate time for objecting is extended:

- Five days if the place of address is within the State of California (CCP 684.120(b)(1))
- Ten days if the place of address is outside the State of California but within the United States (CCP 684.120(b)(2))
- Twenty days if the place of address is outside the United States (CCP 684.120(b)(3))