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Attorneys for Defendant,  
Apple American Group, LLC

ELECTRONICALLY  
FILED

**Superior Court of California,  
County of San Francisco**

**06/24/2015**  
Clerk of the Court

BY:EDNALEEN JAVIER  
**Deputy Clerk**

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO**

JERAE RUSSELL, ) Case No.: CGC-15-543480  
Plaintiff, )  
vs. )  
APPLE AMERICAN GROUP, LLC, ) DEFENDANT APPLE AMERICAN  
and DOES 1-20, ) GROUP, LLC'S REPLY IN SUPPORT OF  
Defendants. ) DEMURRER TO COMPLAINT  
 ) Date: June 29, 2015  
 ) Time: 9:30 a.m.  
 ) Dept.: 302  
 ) Reservation Number: 012215-06  
 ) Action Filed: 1/2/15

Plaintiff Jerae Russell (“Plaintiff”) has failed to file any response or opposition to Defendant’s Demurrer filed on February 3, 2015, and served on Plaintiff’s counsel the same day.

In its Demurrer, Defendant argues that Plaintiff's injuries arose out of and in the course of her employment with Defendant and thus her exclusive remedy is workers' compensation under the Workers' Compensation Act (California Labor Code, Section 3200 *et seq.*). Plaintiff has not presented any facts or arguments why her claim does not fall under the exclusive jurisdiction of the Workers' Compensation Act. Accordingly, Defendant's demurrer should be sustained without leave to amend because the court does not have jurisdiction over this matter.

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1 Dated: June 24, 2015

APPLE AMERICAN GROUP, LLC

2 By:

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4 BETH FRUECHTENICHT-ANEY  
5 Attorneys for Defendant,  
6 APPLE AMERICAN GROUP, LLC

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PROOF OF SERVICE

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**STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO**

3 I am employed in the County of San Francisco, State of California. I am over the age of  
4 18 and not a party to the within action; my business address is 225 Bush Street, Suite 1800, San  
Francisco, CA 94104.

5 On June 24, 2015, I caused the following documents:

- 6 • **DEFENDANT'S REPLY IN SUPPORT OF DEMURRER TO PLAINTIFF'S  
7 COMPLAINT**

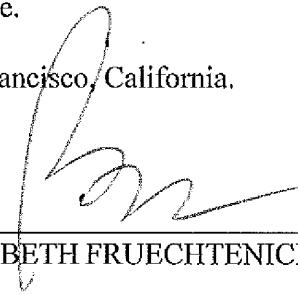
8 to be served on the interested parties in this action by placing a true copy thereof enclosed  
9 in sealed envelopes addressed as follows:

10 **Stephen Jaffe, Esq.  
The Jaffe Law Firm  
150 California Street, 21<sup>st</sup> Floor  
San Francisco, CA 94111  
Tel (415) 618-0100  
Attorneys for Plaintiff**

11 [X] **(BY MAIL)** I caused such envelope(s) fully prepaid to be placed in the United States  
12 Mail at San Francisco, California. I am "readily familiar" with the firm's practice of  
13 collection and processing correspondence or mailing. Under that practice it would be  
14 deposited with the U.S. Postal Service on that same day with postage thereon fully  
15 prepaid at San Francisco, California in the ordinary course of business. I am aware that  
16 on motion of the party served, service is presumed invalid if postal cancellation date or  
17 postage meter date is more than one day after date of deposit for mailing in affidavit.

18 I declare under penalty of perjury under the laws of the State of California that the above  
19 is true and correct, and I declare that I am employed in the office of a member of the bar of this  
20 court at whose direction the service was made.

21 Executed on June 24, 2015, at San Francisco, California.

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BETH FRUECHTENICHT ANEY