

**SUPERIOR COURT, STATE OF CALIFORNIA
COUNTY OF SANTA CLARA**

Department 16

(Dept 16 is now hearing cases that were formerly in Dept 2)

Honorable Amber Rosen, Presiding

Felicia Samoy, Courtroom Clerk
191 North First Street, San Jose, CA 95113
Telephone: 408.882.2270

DATE: 07-09-24 TIME: 9 A.M.

All those intending to speak at the hearing are requested to appear in person or by video. Parties are asked NOT to appear by telephone only.

To contest the ruling, call (408) 808-6856 before 4:00 P.M.

Make sure to let the other side know before 4:00 P.M. that you plan to contest the ruling, in accordance with California Rule of Court 3.1308(a)(1) and Local Rule 8.E.

The prevailing party shall prepare the order unless otherwise ordered. (See California Rule of Court 3.1312.)

TO CONTEST THE RULING: Before 4:00 p.m. today you must notify the:

- (1) Court by calling (408) 808-6856 and
- (2) Other side by phone or email that you plan to appear and contest the ruling
(California Rule of Court 3.1308(a)(1) and Local Rule 8.E.)

TO APPEAR AT THE HEARING: The Court will call the cases of those who appear in person first. If you appear virtually, please use video. To access the link, click on the below link or copy and paste into your internet browser and scroll down to Department 16.

https://www.scscourt.org/general_info/ra_teams/video_hearings_teams.shtml. You must use the current link.

TO SET YOUR NEXT HEARING DATE: You no longer need to file a blank notice of motion to obtain a hearing date. **You may make an online reservation to reserve a date** before you file your motion. If moving papers are not filed within 5 business days of reserving the date, the date will be released for use in other cases. Go to the Court's website at www.scscourt.org to make the reservation.

FINAL ORDERS: The prevailing party shall prepare the order unless otherwise ordered. (See California Rule of Court 3.1312.)

COURT REPORTERS: The Court no longer provides official court reporters. If any party wants a court reporter, the appropriate form must be submitted. See court website for policy and forms.

LINE #	CASE #	CASE TITLE	RULING
<u>LINE 1</u>	24CV432191 Hearing: Order of Examination	Balboa Capital Corporation vs Anne M. Cummings, MD et al	Notice appearing proper, all parties are to appear in Department 16 at 9:00 AM, either in person or via TEAMS. If all parties appear, the Court will administer the oath and the examination will take place off line. If there is no appearance by the moving party, the matter will be ordered off calendar.
<u>LINE 2</u>	23CV425126 Motion: Leave to File	Debasish Roy, by Abhisek Roy Power of Attorney vs Qi Xiang et al	The motion is off calendar.
<u>LINE 3</u>	23CV425126 Motion: Strike	Debasish Roy, by Abhisek Roy Power of Attorney vs Qi Xiang et al	The motion is moot in light of Plaintiff's FAC. Defendant shall submit the final order within 10 days of the hearing.
<u>LINE 4</u>	23CV425126 Hearing: Demurrer	Debasish Roy, by Abhisek Roy Power of Attorney vs Qi Xiang et al	The motion is moot in light of Plaintiff's FAC. Defendant shall submit the final order within 10 days of the hearing.
<u>LINE 5</u>	23CV423006 Motion: Admissions Deemed Admitted	JPMorgan Chase Bank N.A. vs George Clarke, Sr.	Good cause appearing and notice appearing proper, the unopposed motion is GRANTED and the requests for admissions are deemed admitted. Plaintiff shall submit the final order within 10 days.
<u>LINE 6</u>	23CV425440 Motion: Expunge Lis Pensing	CHRISTOPHER PALMS LLC vs KEVIN RIZZI	Given the Court's ruling on the preliminary injunction, Defendant's motion to expunge the lis pending is DENIED. Pursuant to C.C.P. §405.38, Defendant must pay Plaintiff's counsel \$2400 (4 hrs) in attorney's fees within 20 days of receipt of the final order. Plaintiff shall submit the final order.
<u>LINE 7</u>			
<u>LINE 8</u>			
<u>LINE 9</u>			
<u>LINE 10</u>			
<u>LINE 11</u>			
<u>LINE 12</u>			
<u>LINE 13</u>			
<u>LINE 14</u>			
<u>LINE 15</u>			
<u>LINE 16</u>			
<u>LINE 17</u>			