

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

(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: 02-01-24 TIME: 9 A.M.

All those intending to speak at the hearing are requested to appear by video.

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 strongly prefers in person appearances. If you must 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.sccscourt.org/general_info/ra_teams/video_hearings_teams.shtml

TO SET YOUR NEXT HEARING DATE: You no longer need to file a blank notice of motion to obtain a hearing date. Phone lines are now open for you to call and 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. Where to call for your hearing date: **408-882-2430** When you can call: **Monday to Friday, 8:30 am to 12:30 pm**

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.

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3.1312.)**

LINE #	CASE #	CASE TITLE	RULING
LINE 1	21CV376547 OEX	David Cross vs Annette Waters	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.
LINE 2	22CV404340 Hearing: Demurrer	Tam Nguyen et al vs Dzung Pham et al	Noticing appearing proper and good cause appearing, the unopposed demurrer to the FAC is SUSTAINED without leave to amend. The failure to file a written opposition “creates an inference that the motion or demurrer is meritorious.” <i>Sexton v. Superior Court</i> (1997) 58 Cal.App.4th 1403, 1410. Moving party shall submit the final order.
LINE 3	23CV415280 Hearing: Demurrer	Bijan Haghighi vs City of Mountain View et al	The pending demurrer is moot, as Plaintiff filed a Third Amended Complaint on Jan. 26, 2024.

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LINE 4	20CV375037 Motion: Summary Judgment/Adjudication	Natasha Doubson vs Fyodor Konkov	Both Parties are ordered to appear for the hearing. On January 25, 2024, Defendant filed a Disability Accommodation Request, seeking a stay of 6 months. As made clear earlier in this case (see appellate notice filed Sept. 28, 2021), Plaintiff is entitled to review the request and records it is based on and is entitled to challenge the request. The Court will provide a copy of the request to Plaintiff at the 2/1 hearing under a protective order. A <i>Vesco</i> hearing is set for Friday, February 9, 2024 at 10:30 a.m. The MSJ is unopposed. Given the ADA request, the Court will wait until the <i>Vesco</i> hearing to either rule on or reset the hearing on the MSJ.
LINE 5	21CV387815 Hearing: Claim of Exemption	Debt Management Partners, LLC vs Gina Quijano	The Court does not find that Debtor has made a viable claim for exemption, as the amount of wages exceeds the exempted amount. The claim for exemption is DENIED. Creditor shall submit the final order.
LINE 6	22CV408303 CMC	Theresa Foster vs RLJ Lodging Trust, L.P. et al	All parties shall appear for the CMC.
LINE 7	22CV408303 Motion: Withdraw of Atty	Theresa Foster vs RLJ Lodging Trust, L.P. et al	Notice appearing proper and good cause appearing, the unopposed motion to withdraw is GRANTED. Moving party shall submit the final order.
LINE 8	23CV423951 Hearing: Pro Hac Vice counsel	FICT Limited vs Ampere Computing LLC	Off calendar

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LINE 9	23CV423951 Motion seal of portions complaint	FICT Limited vs Ampere Computing LLC	Off calendar
LINE 10	23CV423951 Motion Consolidate	FICT Limited vs Ampere Computing LLC	Off calendar
LINE 11	2000-7-CV-393402 Hearing: Claim of Exemption	First Select Corporation vs Comer Shawnette M	The Court does not find that Debtor has made a viable claim for exemption. The claim for exemption is DENIED. Creditor shall submit the final order.
LINE 12			

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