

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

Complex Law and Motion Calendar

HONORABLE NICOLE S. HEALY
Department 28, Courtroom I
800 N. Humboldt Street, San Mateo, CA 94401

January 9, 2024

IF YOU **INTEND TO APPEAR** ON ANY CASE ON THIS CALENDAR YOU MUST DO ITEM 1 OR ITEMS 2 & 3 BELOW, THE **DAY BEFORE THE HEARING**:

1. EMAIL Dept28@sanmateocourt.org BEFORE 4:00 P.M., COPIED IN THE SAME EMAIL TO ALL PARTIES OR THEIR COUNSEL OF RECORD. IF BY EMAIL, IT MUST INCLUDE THE NAME OF THE CASE, THE CASE NUMBER, AND THE NAME OF THE PARTY CONTESTING THE TENTATIVE RULING; or
2. YOU MUST CALL (650) 261-5128 BEFORE 4:00 P.M. AND FOLLOW THE INSTRUCTIONS ON THE MESSAGE; and
3. YOU MUST GIVE NOTICE BEFORE 4:00 P.M. — BY TELEPHONE OR IN PERSON — TO ALL PARTIES OF YOUR INTENT TO APPEAR PURSUANT TO CALIFORNIA RULES OF COURT, RULE 3.1308(a)(1).

Failure to comply with item 1, or items 2 **and** 3, will result in no oral presentation.

Appearances can be in person or by Zoom. When you sign in to Zoom, please display your first and last name. Mute your line until your case is called. Please check in by 1:50 pm.

RECORDING OF A COURT PROCEEDING IS STRICTLY PROHIBITED.

Zoom Video/Computer Audio Information:

<https://sanmateocourt.zoomgov.com/>

Meeting ID: 160 226 9361

Passcode: 289347

Zoom Phone-Only note: You must join by dialing in from a telephone. Zoom credentials will not work from a tablet or PC. VIDEO APPEARANCES ARE PREFERRED.

Phone number: 1-669-254-5252

same meeting ID & passcode as above

Zoom can be joined directly from Judge Healy's page on the Court's website.

TO ASSIST THE COURT REPORTER, the parties are ORDERED to: (1) state their name each time they speak and only speak when directed by the Court; (2) not to interrupt the Court or anyone else; (3) speak slowly and clearly; (4) use a dedicated land line if at all possible, rather than a cell phone; (5) if a cell phone is absolutely necessary, the parties must be stationary and not driving or moving; (6) no speaker phones under any circumstances; (7) provide the name and citation of any case cites; and (8) spell all names, even common names.

Case	Title / Nature of Case
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2:00 Line 3

22-CIV- 03056 BRIAN GONZALEZ VS STONEBRIDGE HOSPITALITY ASSOCIATES LLC,
AN UNKNOWN BUSINESS ENTITY

BRIAN GONZALEZ	EDWIN
STONEBRIDGE HOSPITALITY ASSOCIATES LLC, AN UNKNOWN BUSINESS ENTITY	AIWAZIAN SHAREEF FARAG

MOTION TO BE RELIEVED AS COUNSEL

TENTATIVE RULING:

Plaintiff's counsel, Gabriella Sole (and not the entire law firm) seeks to be relieved as counsel of record for plaintiff Brian Gonzalez. If Ms. Sole no longer wishes to be counsel of record, but her firm is continuing as counsel, then this motion is unnecessary.

However, it appears from the reason provided in the motion for withdrawal, that plaintiff's counsel has been unable to communicate with plaintiff, that the entire firm is seeking to withdraw. If that is the case, then the motion is deficient.

The court **DENIES** without prejudice the motion of Ms. Sole or any other of plaintiff's counsel to withdraw. Plaintiff's counsel filed this action as a PAGA representative action (Lab. Code, §§ 2698, *et seq.*) and does not discuss what will happen to the other allegedly aggrieved employees if counsel is no longer representing plaintiff. At a minimum, plaintiff's counsel should seek other representatives if Brian Gonzalez is no longer willing or adequate to represent the allegedly aggrieved employees. (*See, e.g., La Sala v. American Sav. & Loan Assn.* (1971) 5 Cal.3d 864, 872.)

