

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO
Law and Motion Calendar
Judge: HONORABLE NINA SHAPIRSHTEYN
Department 11
1050 Mission Road, South San Francisco
Courtroom L
Thursday, January 9, 2025 AT 2:00 PM

IF YOU ***INTEND TO APPEAR*** ON ANY CASE ON THIS CALENDAR YOU MUST DO THE FOLLOWING:

1. EMAIL Dept11@Sanmateocourt.org BEFORE 4:00 P.M. CONTEMPORANEOUSLY COPIED 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) 261-5111 BEFORE 4:00 P.M. AND FOLLOW THE INSTRUCTIONS ON THE MESSAGE.
3. AND You must give notice before 4:00 P.M. to all parties of your intent to appear pursuant to California Rules of Court 3.1308(a)(1).

Failure to do item 1, or both 2 and 3 will result in no oral presentation.

At this time, personal appearances are allowed but not required. Parties may appear by Zoom, advance authorization is not required for remote appearances

Zoom Video/Computer Audio Information COURTROOM L:

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

Meeting ID: 161 576 6143

Password: 142907

Zoom Phone-Only Information Please note: You must join by dialing in from a telephone; credentials will not work from a tablet or PC

Dial in: +1 (669)-254-5252

(Meeting ID and passwords are the same as above)

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.

New: You must email a copy of any reply briefs, or any Unlawful Detainer Opposition or Motion for Summary Judgment to:
lawandmotionreplybriefs@sanmateocourt.org

Case	Title / Nature of Case
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2:00

21-CIV-03624 MARIO A. GONZALEZ VS. FORD MOTOR COMPANY, ET AL.

LINE 1

MARIO A. GONZALEZ
FORD MOTOR COMPANY

TIONNA CARVALHO
CRAIG A. TAGGART

DEFENDANT FORD MOTOR COMPANY'S MOTION FOR SUMMARY ADJUDICATION OF ISSUES
TENTATIVE RULING:

The hearing is vacated at the request of the parties.

2:00

21-CLJ-06214

DEBT MANAGEMENT PARTNERS, LLC, VS. GUILLERMO BERNAL, ET AL.

LINE 2

DEBT MANAGEMENT PARTNERS, LLC
GUILLERMO BERNAL

JOHN P. KENOSIAN

PLAINTIFF DEBT MANAGEMENT PARTNERS LLC'S CLAIM OF EXEMPTION
TENTATIVE RULING:

On October 4, 2022, the Court issued a default judgment against defendant Guillermo Bernal aka Guillermo A. Bernal, Jr., in favor of plaintiff Debt Management Partners, LLC "DBP" in the amount of \$3,896.75.

On December 4, 2024, DPB gave notice of a hearing on Bernal's claim of exemption and filed an Opposition to the claim of exemption.

On December 9 and 13, 2024, DBP gave amended notices of hearing on Bernal's claim of exemption for January 9, 2025 in Department 3 in Redwood City. However, effective January 6, 2025, Judge Shapirshteyn, Department 11, has taken over all Department 3 civil cases.

Because Defendant Bernal was not given notice, the hearing on the claim of exemption is reset for **January 30, 2025 at 2:00 p.m. in Department 11, 1050 Mission Road, Courtroom L, South San Francisco, CA 94080**. Plaintiff is to send notice.

2:00

23-CIV-01255

BREANNE HERNANDEZ, ET AL. VS. MIGUEL ALVAREZ, ET AL.

LINE 3

BREANNE HERNANDEZ
MIGUEL ALVAREZ

GARY A. DORDICK
P. CHRISTIAN SCHELEY

PLAINTIFF, GUARDIAN AD LITEM: BREANNE HERNANDEZ'S MOTION FOR ORDER
TENTATIVE RULING:

Plaintiffs Breanne Hernandez's, Joseph Morales', and minor Amias Morales' unopposed motion for relief from plaintiff's potential waiver of jury trial in the underlying action is GRANTED.

Here, plaintiffs seek an order from the Court granting relief from their potential waiver of jury trial due to inadvertence. To wit, plaintiff's failure to timely pay jury fees as required by Code of Civil Procedure section 631. Defendants Recology, Inc., Miguel Alvarez and Does 1-100 do not oppose. The Court notes plaintiffs have rectified their oversight and posted the requisite statutory \$150 fee to the court on June 11, 2024. Defendants posted their jury demand for jury trial and fees timely on September 21, 2023, concurrently with their answer to the complaint.

The right to a jury trial in civil cases is guaranteed by the California Constitution, article I, section 16. A party waives trial by jury by failing to timely pay the \$150 fee. (Code Civ. Proc. § 631, subd. (f)(5).) However, the court may, in its discretion upon just cause, allow a trial by jury even if there was a waiver of jury trial. (§ 631., subd. (g).) "When a party that has timely given notice that it desires trial by jury then loses the jury right because of technical noncompliance with some element of statutory procedure — such as failure to pay jury fees at the right time or in the right amount — lack of hardship to the other parties or the court is generally controlling, absent other factors that weigh against relief." (*TriCoast Builders, Inc. v. Fonnegra* (2024) 15 Cal.5th 766, 781-82.)

"Without attempting any exhaustive list of relevant considerations, a court may consider, in addition to hardship, the timeliness of the request; the party's willingness to comply with applicable jury fee obligations; and the party's reasons for seeking the relief." (*Id.* at 783.) Upon consideration of plaintiff's moving papers, including the Declaration of plaintiff's counsel Taylor Dordick setting forth plaintiff's investment of time and resources in preparing the matter for trial, the court is satisfied plaintiff's failure to pay jury fees was simply neglectful oversight and unintended to eliminate plaintiff's right to jury trial. Accordingly, plaintiff's motion is GRANTED.

Plaintiff's trial by jury shall go forward on December 1, 2025 as previously set in the Court's November 6, 2024 Minute Order.

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **counsel for Plaintiff shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

The Court alerts the parties to revised Local Rule 3.403(b)(iv) (amended effective January 1, 2024) regarding the wording of proposed orders.

2:00

23-CIV-01369
LINE 4

PATRICIA MORGOVSKY VS. ANETTA KALK MIGDAL AND AS A TRUSTEE OF MIGDAL 2016
LIVING TRUST, ET AL.

PATRICIA MORGOVSKY
ANETTA KALK MIGDAL AND AS A TRUSTEE OF MIGDAL 2016 LIVING TRUST

PRO PER
WILLIAM F. STANGER

PLAINTIFF PATRICIA MORGOVSKY'S MOTION TO STRIKE
TENTATIVE RULING:

The motion to strike is moot. The court ruled on defendants' demurrer and motion for judgment on the pleadings on September 19, 2024.

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **counsel for Defendant shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

The Court alerts the parties to revised Local Rule 3.403(b)(iv) (amended effective January 1, 2024) regarding the wording of proposed orders.

2:00

23-CIV-01926

KAREN GRIGORIAN VS. ARMEN JALALIAN, ET AL.

LINE 5

KAREN GRIGORIAN
ARMEN JALALIAN

ARASTO FARSAD

PLAINTIFF KAREN GRIGORIAN'S MOTION FOR ORDER
TENTATIVE RULING:

In this foreclosure action, Plaintiff's Complaint alleges that in December 2017, Plaintiff filed a civil action against Defendants Armen Jalalian and Associates 1 Appian Way LLC ("Appian"), relating to the subject real property ("Property"). The parties settled their dispute and, as part of the settlement, Jalalian executed and delivered a promissory note dated October 1, 2018, and a deed of trust ("DOT") dated December 18, 2018, secured against the Property. Plaintiff properly recorded the DOT. Defendants then defaulted under the promissory note and DOT, and Plaintiff filed the instant action seeking foreclosure of the Property.

Plaintiff's ex parte application to serve summons by publication was granted. On January 29, 2024, Plaintiff requested entry of default as to Defendants Jalalian and Appian, which was entered as requested. On August 7, 2024, Defendant filed a "motion for default and default judgment to be set aside" which is now pending before the Court.

For the reasons set forth below, the motion to set aside the entry of default is DENIED.

First, Defendant has failed to file a proper proof of service of the motion. (Code Civ. Proc. § 1005.) All motions must be noticed, served, and filed according to statutory deadlines and procedures. On this ground alone, the Court could order the motion off calendar. However, since the parties have opposed and replied, the Court proceeds to the merits of the motion.

The trial court has broad discretion to vacate a judgment or a clerk's entry of default, as long as the moving party establishes a proper ground for relief, by the proper procedure, and within the applicable time limits. (*Cruz v. Fagor America, Inc.* (2007) 146 Cal.App.4th 488, 495.) Discretionary relief on grounds of mistake, inadvertence, surprise, or excusable neglect must be sought within six months of the clerk's entry of default, and as such, is inapplicable here. (Code Civ. Proc. § 473(b).) Apart from any statutory authority, and outside of the six-month time limit, a court has inherent equitable power to set aside a judgment on the ground of extrinsic fraud or mistake. (*Bae v. T.D. Service Co.* (2016) 245 Cal.App.4th 89, 97.)

Defendant's references to "fraud" in the motion appear to be an attempt to invoke this equitable power. The three essential elements to obtaining such relief are a showing by the party in default of a meritorious defense, a satisfactory excuse for not presenting a defense to the original action, and diligence in setting aside the default once it was discovered. (Weil & Brown, Cal. Practice Guide: Civil Procedure Before Trial (The Rutter Group 2023) ¶5:435.) In addition, and crucially, relief is only available for *extrinsic* fraud or mistake, meaning circumstances where the party was denied an opportunity to be heard. (*Id.* at [5:439].) If the fraud or mistake goes to the merits of the action, or occurred at trial, it is deemed *intrinsic* fraud, and *not* ground for relief. (*Ibid.*) Examples of intrinsic fraud are forgery, bribery, or perjury. (*Marriage of Thorne & Raccina* (2012) 203 Cal.App.4th 492, 505.)

Extrinsic fraud is a broad concept that tends to encompass "almost any set of extrinsic circumstances which deprive a party of a fair adversary hearing." (*Marriage of Park* (1980) 27 Cal.3d 337, 342; *County of San Diego v. Gorham* (2010)

186 Cal.App.4th 1215, 1229.) Even so, a moving defendant must make some showing of the type of extrinsic fraud that has deprived him of such an opportunity, such as a false proof of service, a defendant who did not know of the action because of fraud, or an attorney fraudulently assuming authority to represent the party who then acts against his interest. (Weil & Brown, Cal. Practice Guide: Civil Procedure Before Trial (The Rutter Group 2023) ¶ 5:441.) Defendant does not raise any such grounds.

The only “fraud” Defendant identifies is the alleged reference to Plaintiff as a “she” in the pleadings, which Defendant opines should not be. Even assuming this confusion over Plaintiff’s pronouns is accurate, Defendant does not explain—and this Court does not see—how it has any bearing on a motion to set aside default, let alone constitute the kind of extrinsic fraud that would have denied Defendant’s opportunity to a fair hearing to present a meritorious defense.

Defendant’s attempts to relitigate the underlying 2017 action are also unavailing, as they present no substantive or legible reason why Defendant possesses a meritorious defense to the current Complaint. Defendant does not contest he defaulted on the settlement agreement’s obligations. And even if Defendant did so, granting a motion to set aside default requires more than the presentation of such a defense.

As Defendant’s motion is procedurally improper, and more fundamentally, fails to present any grounds for relief from default, the motion to set aside default is DENIED.

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **counsel for Plaintiff shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

The Court alerts the parties to revised Local Rule 3.403(b)(iv) (amended effective January 1, 2024) regarding the wording of proposed orders.

2:00

23-CIV-03218

RAFFAELLA NICOLOSI, ET AL. VS. VICTOR I. BADILLO, ET AL.

LINE 6

RAFFAELLA NICOLOSI
VICTOR I. BADILLO

PRO PER
TODD A SCHAFFER

PLAINTIFFS RAFFAELLA NICOLOSI AND CLAUDIO NICOLOSI'S MOTION FOR ORDER FOR DEFAULT JUDGMENT ON THE MOTION TO SUPPLEMENTAL INJUNCTIVE RELIEF (REQUEST FOR A TEMPORARY RESTRAINING ORDER AND ABATEMENT OF PRIVATE NUISANCE)

TENTATIVE RULING:

For the reasons stated below, Plaintiffs Raffaella and Claudio Nicolosi's "Motion for Default Judgment on Motion to Supplement Injunctive Relief (Request for a Temporary Restraining Order and Abatement of Private Nuisance", filed September 13, 2024, is DENIED.

This case involves a dispute between neighboring property owners in Redwood City. Plaintiffs allege the roots of Defendants' large redwood tree have caused damage to Plaintiffs' property, including lifting the foundation of Plaintiffs' home. Plaintiffs have expressed concerns that the tree could fall and cause further damage/injury. Plaintiffs assert a cause of action for private nuisance and seek damages and injunctive relief.

On May 23, 2024, Plaintiffs filed a Motion seeking "Injunctive Relief (Request for a Temporary Restraining Order and Abatement of a Private Nuisance)," which the Court later denied without prejudice.

On August 19, 2024, Plaintiffs filed a "Motion to Supplement Injunctive Relief (Request for a Temporary Restraining Order and Abatement of Private Nuisance)," which is currently set for hearing on January 30, 2025.

On September 13, 2024, Plaintiffs filed the present "Motion for Default Judgment on the Motion to Supplement Injunctive Relief (Request for a Temporary Restraining Order and Abatement of Private Nuisance)." This Motion seeks an Order granting Plaintiffs' requested injunctive relief, on grounds that Defendants purportedly have not filed a timely Opposition brief to Plaintiffs' request for injunctive relief.

The Motion is DENIED. As noted above, Plaintiffs' initial Motion for "Injunctive Relief (Request for a Temporary Restraining Order ...)" (filed May 23, 2024) has already been denied by the Court without prejudice. (See August 8, 2024 Order.) The hearing date on Plaintiffs' "Motion to Supplement Injunctive Relief (Request for a TRO and Abatement of Private Nuisance)" (filed August 19, 2024) has been reset for January 30, 2025. (See October 10, 2024 Minute Order.) Defendants' Opposition to the Motion to be heard on January 30, 2025 is due nine court days before the hearing. (Code Civ. Proc. Sect. 1005(b).)

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **Defendant shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

2:00

23-CIV-03218 RAFFAELLA NICOLOSI, ET AL. VS. VICTOR I. BADILLO, ET AL.

LINE 7

RAFFAELLA NICOLOSI
VICTOR I. BADILLO

PRO PER
TODD A. SCHAFFER

PLAINTIFFS' RAFAELLA NICOLOSI AND CLAUDIO NICOLOSI'S MOTION FOR ORDER FOR DEFAULT JUDGMENT ON THE MOTION TO IMPLEAD THIRD PARTY DEFENDANT

TENTATIVE RULING:

For the reasons stated below, Plaintiffs Raffaella and Claudio Nicolosi's "Motion for Default Judgment on the Motion to Implead Third Party Defendant," filed September 13, 2024, is DENIED.

This case involves a dispute between neighboring property owners in Redwood City. Plaintiffs allege the roots of Defendants' large redwood tree have caused damage to Plaintiffs' property, including lifting the foundation of Plaintiffs' home. Plaintiffs have expressed concerns that the tree could fall and cause further damage/injury. Plaintiffs assert a cause of action for private nuisance, and seek damages and injunctive relief.

On May 24, 2024, Plaintiffs filed a "Motion to Implead Third Party Defendant," which the Court later denied without prejudice. (See September 24, 2024 Order.)

On Aug. 19, 2024, Plaintiffs filed an *Amended* "Motion to Implead Third Party Defendant," which is currently set for hearing on January 30, 2025. (See October 10, 2024 Minute Order.)

On 9-13-24, Plaintiffs filed the present "Motion for Default Judgment on Motion to Implead Third Party Defendant," which asks the Court to enter a "default Judgment" on Plaintiffs' *Amended* "Motion to Implead Third Party Defendant," on grounds that Defendants purportedly have not filed a timely Opposition brief.

The Motion is DENIED. As noted above, Plaintiffs' initial "Motion to Implead Third Party Defendant" has already been denied by the Court without prejudice. (See September 4, 2024 Order.) The hearing date on Plaintiffs' *Amended* "Motion to Implead Third Party Defendant" has been reset for January 30, 2025. Defendants' Opposition to Plaintiffs' *Amended* "Motion to Implead Third Party Defendant" is due nine court days before the Jan. 30, 2025 hearing. (Code Civ. Proc. Sect. 1005(b).) Accordingly, Defendants have not missed their deadline to oppose the *Amended* motion.

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **Defendant shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

The Court alerts the parties to revised Local Rule 3.403(b)(iv) (amended effective January 1, 2024) regarding the wording of proposed orders.

2:00

24-CIV-03434 JANE DOE #1 (M.L.), ET AL. VS. MASSAGE ENVY FRANCHISING, LLC, ET AL.
LINE 8

JANE DOE #1 (M.L.)
MASSAGE ENVY FRANCHISING, LLC

ROBERT W. THOMPSON
OLIVER Q. DUNLAP

DEFENDANTS MASSAGE ENVY FRANCHISING, LLC AND MESPE FRANCHISING, LLC'S APPLICATION FOR FARRAH R. BERSE TO APPEAR AS COUNSEL PRO HAC VICE
TENTATIVE RULING:

The unopposed application of Farrah Berse to appear pro hac vice on behalf of defendants Massage Envy Franchising, LLC and ME SPE Franchising, LLC is GRANTED.

Pursuant to California Rules of Court, Rule 9.40(d), an attorney seeking admission pro hac vice must provide a verified application or declaration, which states: 1) the applicant's residence and office address 2) the courts to which the applicant has been admitted to practice and the date of admission 3) that the applicant is a member in good standing in those courts 4) that the applicant is not currently suspended or disbarred in any court (5) the title of the court and cause in which the applicant has filed an application to appear as counsel pro had vice in this state in the preceding two years, the date of each application, and whether or not it was granted (6) the name, address, and telephone number of the active member of the State Bar of California who is attorney of record.

The application must be filed together with proof of service of a copy of the application and notice of hearing on all parties who have appeared in the case and on the State Bar at its San Francisco Office. The notice of hearing must be given at the time prescribed by §1005. CRC 9.40(c). In addition, a \$50 fee must be paid to the State Bar. CRC 9.40(e).

In this case, the declaration of Farrah Berse provides the information required by CRC 9.40(d), the declaration of Steve Vieux states that the \$50 fee has been paid and counsel has provided proof that the application and notice of hearing were served on all parties who have appeared in the action as well as the State Bar. The application is GRANTED.

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **counsel for Defendants shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

The Court alerts the parties to revised Local Rule 3.403(b)(iv) (amended effective January 1, 2024) regarding the wording of proposed orders.

2:00

24-CIV-03844

OLEGARIO PEREZ-BAUTISTA, ET AL. VS. SALEM ELIAS JILDEH, ET AL.

LINE 9

OLEGARIO PEREZ-BAUTISTA
SALEM ELIAS JILDEH

WILLIAM WHITE

PLAINTIFFS OLEGARDIO PEEZ-BAUTISTA, FORTUNATO LOPEZ-JUAREZ AND OSVALDO JUAREZ-HERRERA,'S PETITION FOR
COMPROMISE OF MINOR(S) CLAIM

TENTATIVE RULING:

Petition for Compromise of Minor's Claim is GRANTED. The proposed order will be signed.

If the tentative ruling is uncontested, it shall become the order of the Court.

UNLAWFUL DETAINER
LAW AND MOTION CALENDAR

2:00

24-UDL-01420 FREEDOM DAY NETWORK, LLC VS. CHRISTOPHER WUILLEMIN, ET AL.

LINE 10

FREEDOME DAY NETWORK LLC
CHRISTOPHER WUILLEMIN, ET AL.

VREJ V. GARABEDIAN
PRO PER

PLAINTIFF FREEDOM DAY NETWORK, LLC'S MOTION TO STRIKE
TENTATIVE RULING:

Plaintiff Freedom Day Network, LLC's Motion to Strike is DENIED.

Plaintiff Freedom Day Network, LLC's Request for Judicial Notice is DENIED.

Plaintiff Freedom Day Network, LLC ("FDN") moves to strike the answer of Defendant Christopher Wuillemmin and enter his default, contending the answer is not signed and requesting judicial notice of an unsigned copy of an answer. However, the document is not a true and correct copy of Wuillemmin's answer contained in the Court's records. The answer on file is properly signed. (See December 9, 2024 Answer, p. 4.)

FDN also requests, in a supplemental brief, that the Court strike the answer of Defendant Nathaniel Basola Sobayo for having not filed a prejudgment claim of right to possession. This request was not contained in the notice of motion, and the proofs of service do not list Sobayo as an addressee, despite the fact the defendants share an e-mail address. Moreover, Sobayo in fact filed a prejudgment claim of right to possession on December 9, 2024, and the clerk of court served a copy on FDN the same day. (Dec. 9, 2024 Prejudgment Claim to Right of Possession; Dec. 9, 2024 Affidavit of Service.)

Accordingly, the motion is denied. Counsel is advised that the records in this matter are available electronically through the Court's website. Further misrepresentations of the documents on file may result in the imposition of sanctions.

If the tentative ruling is uncontested, it shall become the order of the Court. Thereafter, **counsel for Defendant shall prepare a written order repeating verbatim the tentative ruling** for the Court's signature, pursuant to California Rules of Court, Rule 3.1312, and provide written notice of the ruling to all parties who have appeared in the action, as required by law. Judge Shapirshteyn will reject proposed orders that do not inform her of the opposing party's response, if any, to the proposed order. (Cal. Rules of Court, Rule 3.1312(b).)

The Court alerts the parties to revised Local Rule 3.403(b)(iv) (amended effective January 1, 2024) regarding the wording of proposed orders.

POSTED AT: 3:00 P.M.