

Superior Court of California, County of Alameda
Rene C. Davidson Alameda County Courthouse

Godfrey	Plaintiff/Petitioner(s)
VS.	
AB Trucking, Inc.	Defendant/Respondent(s)
(Abbreviated Title)	

No. **RG08379099**

Minutes

Department 20 Honorable Robert B. Freedman, Judge
Reporter Teri Rosette CSR#6631

Cause called for Motion: December 03, 2010.

The Motion of defendant Oakland Port Services Corporation dba AB Trucking ("Defendant") to Strike Portions of Plaintiffs' Second Amended Complaint ("Motion") is ruled on as follows:

The Court notes at the outset that Defendant's notice of motion does not comply with Rule of Court 3.1322(a). The term "all reference to ..." is used repeatedly, without specific quotations of the portions of the Second Amended Complaint ("SAC") sought to be stricken.

In addition, it appears that Defendant seeks to strike portions of the SAC solely on the basis that the changes made by plaintiffs Levon Godfrey and Gary Gilbert ("Plaintiffs") to the now operative SAC were not properly itemized in Plaintiffs' Notice of Motion For Leave to Amend. That motion, however, was dropped by Plaintiffs after Defendant stipulated to permit the SAC to be filed, and the stipulation contained no limitations as to the scope of Plaintiffs' amendments.

Accordingly, the Motion is DENIED in all respects.

Defendant shall answer the SAC forthwith, and no later than December 10, 2010.

Minutes of 12/03/2010
Entered on 12/03/2010

Executive Officer / Clerk of the Superior Court

By  digital

Deputy Clerk