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FILED
ALAMEDA COUNTY

OCT 17 2017

ANI, LLP

CLERK OF THE SUPERIOR COURT
By *[Signature]*

OF THE STATE OF CALIFORNIA
THE COUNTY OF ALAMEDA

CASE NO. RG17877051

**DECLARATION OF PAMELA NG IN
SUPPORT OF DEFENDANT'S
MOTION TO TRANSFER VENUE AND
MOTION FOR SANCTIONS**

CARE;
ugh

*Accompanying papers: Notice of Motion
and Motion; Memorandum of Points and
Authorities; Request for Judicial Notice;
Declaration of Suzanne Harris; Proposed
Order*

Date: November 28, 2017
Time: 3:00 p.m.
Dept.: 23
Judge: Brad Seligman
Reservation No.: R-1899966

Complaint Filed: September 28, 2017

AS:

licensed to practice before all courts of the State of
the law firm of Gordon Rees Scully Mansukhani, LLP,
lth Care ("Defendant"). I have personal knowledge of
and if called to testify to them could and would do so

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endant in connection with the present matter filed by

Plaintiff filed the present matter with the Alameda

Exhibit 1 is a true and correct copy of an email dated October 1, 2017, in which Plaintiff's counsel, Lara Bruno, requested a change of venue from Alameda County to Santa Clara County. Plaintiff provided factual and legal support for the stipulation. Mr. Bruno agreed to the stipulation by October 9, 2017. Exhibit 1 also includes an email dated October 9, 2017, stating that she will provide a response

In lieu of a response to the stipulation, Ms. Hutner replied to Plaintiff's filed Complaint ("FAC") and requested Defendant's motion to transfer venue. Ms. Hutner provided a conformed copy of Plaintiff's FAC, we determined that venue was proper in Santa Clara County. On October 12, 2017, Mr. Bruno made another offer to stipulate to Santa Clara County. He requested Ms. Hutner's response by October 15, 2017. Ms. Hutner rejected the offer to stipulate to the change of venue. These emails are attached to this declaration as Exhibit 2.

Plaintiff reviewed a KTVU article regarding the filing of Plaintiff's motion to transfer venue ([stanford-health-care-worker-alleges-racism-safety-](#)

Exhibit 3). I printed a complete and accurate copy of the article and attached it to this declaration as Exhibit 3.

Plaintiff's attorneys preparing the motion to transfer of venue and motion for sanctions also spent in excess of 10 hours preparing the motion to transfer venue and motions. Our work included preparation of the motion, including review of pertinent case law), declarations in

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notice with supporting declaration and proposed order.
rs' rate of \$325, we seek a total of \$6,350 in sanctions
does not include time spent preparing and drafting the
: appearing at the hearing of this motion.

ry under the laws of the State of California that the

, 2017 at San Francisco, California.



Pamela Y. Ng

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BIT 1

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ner@vhattorneys.com>

3:02 AM

er; Timothy Reed; James Riley

WhelanLawOffices.com) (Chris@WhelanLawOffices.com);

Reed on your email. (I have copied them here. In the
res to them as well as to Jim Riley - also copied here - to
e a summary judgment motion due today in a JAMS
orking on it until COB, but I will be back in touch to

om> wrote:

ung v. SHC case in Alameda County Superior
n that this is not the proper venue for this
action for violation of the Fair Employment and
een filed in Santa Clara County Superior Court,
d under FEHA purportedly occurred.

itled to have an action tried in the county of
some exception to the general venue rule. (Cal.
(1984) 37 Cal.3d 477, 483 (citing *Kaluzok v.*
Superior Court, 43 (1974) Cal.App.3d at pp.
Cal.App.2d 708, 710.) *Brown v. Superior*
under Government Code section 12965
IA causes of actions and also to related claims
ame set of facts. *Brown v. Superior Court*,

vant part:

ty in the state in which the unlawful
ted, in the county in which the records
d administered, or in the county in which
l or would have had access to the public
vful practice, but if the defendant is not
tion may be brought within the county of
ice.

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violation of Government Code section 12940
talion on the basis of enumerated
the proper venue should be Santa Clara
tices claimed, i.e. the alleged discrimination,
SHC's Cancer Center located in Palo
ccurred in Alameda County.

that the relevant "records" are maintained in
g Ms. Young's records related to her non-
-FEHA claims does not constitute "unlawful
et seq., nor are such claims alternative theories
s. In reality, the records related to Ms. Young's
IC, which is located in Palo Alto. Thus, the
claims are properly heard in Santa Clara
uperior Court.

which is a lawsuit with at least two causes of
in v. Superior Court (1991) 230 Cal.App.3d
must be transferred in its entirety when any
court. *Id.* Otherwise, plaintiffs could assert
Jhirmack Enterprises, Inc. v. Superior Court
action rule requires a transfer of venue for the
aims are properly heard.

re section 397(c), the court has discretion to
the convenience of witnesses and the ends of
also Cal. Civ. Code Proc. 396b(a),
violations purportedly occurred in, and the
r, the relevant witnesses work in or near Palo
e Ms. Young because she still currently works

at you let me know by the close of business
ate to transfer this case to Santa Clara County-
g to stipulate to transfer this case to San Mateo
rently works at a SHC location in Redwood
rted "unlawful practices" under FEHA occurred

ve will have no choice but to file a motion for
edure section 396b(b), we will also move for
red in making the motion to transfer. As you
ses and fees shall be the personal liability of the

er 9th.

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a

sin

Georgia * Illinois * Maryland * Massachusetts * Missouri * Nebraska *
Pennsylvania * South Carolina * South Dakota * Texas * Virginia *
Washington, DC * West Virginia

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to be confidential. If you are not the intended recipient of this communication, you are hereby
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GRS MANSUKHANI LLP
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BIT 2

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tner@vhattorneys.com>

3:33 PM

Whelan (Chris@WhelanLawOffices.com)

com); Lauren Cooper, Timothy Reed

; James Riley

ath Flores, Stanford University, Stanford Health Care

ot proper under the FEHA statute" caused me to go back
w I read in doing my due diligence before ever drafting the
assertion now than they did when I initially read them.

at me personally for not acquiescing to their distorted view
ctics that underscore why justice requires Ms. Young's
d to select, and selected, as the plaintiff in this action.

r the sole use of the intended recipient(s). Any review, use,
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copies of this message.

, we inform you that any U.S. federal tax advice contained in
written to be used, and cannot be used, for the purpose of (i)
omoting, marketing or recommending to another party any

inLawOffices.com) (Chris@WhelanLawOffices.com); Lauren

versity, Stanford Health Care

oper under the FEHA venue statute (Government Code
r email, the "unlawful practices" (i.e., practices that
ameda County for the case to be properly venued in
s that allegedly occurred in Alameda County or about

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support of the FEHA claims. The FAC still makes at SHC, which is located in Santa Clara County. The Santa Clara County. Therefore, transfer to Santa Clara County, “mixed action” cases (asserting claims that have been transferred in their entirety to the same venue where Santa Clara County).

known by the close of business on Monday October 1, 2018 in Santa Clara County Superior Court.

with filing a motion for transfer of venue. Pursuant to the terms of the settlement, we request reimbursement for our reasonable expenses and attorney’s fees. Pursuant to that section, those expenses and fees are hereby requested.

[m]

Whelan Law Offices, P.C. (Chris@WhelanLawOffices.com); Lauren Cooper;

University, Stanford Health Care

copy of the attached First Amended Complaint filed

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we inform you that any U.S. federal tax advice contained in this message is intended to be used, and cannot be used, for the purpose of (i) promoting, marketing or recommending to another party any

[WhelanLawOffices.com](mailto:Chris@WhelanLawOffices.com)) (Chris@WhelanLawOffices.com); Lauren

University, Stanford Health Care

and will provide you with a copy of it shortly. After you and we have agreed to transfer venue in Alameda County, please let us know of any other venue you would like to transfer to. As you know, the Complaint - and now First Amended Complaint - in Alameda County, under the Code of Civil Procedure and the liberal choice of venue afforded plaintiffs ... by permitting venue in the most convenient and convenient." Brown v. Superior Court, 37 Cal. 3d 478,

parent desire to transfer this case to Santa Clara County, to proceed with such a specious attempt at forum-shopping home to roost (in Alameda, not down at "The Farm") - we hope that will not be necessary.

or the sole use of the intended recipient(s). Any review, use, or distribution of this message by anyone other than the intended recipient or authorized to receive for copies of this message.

we inform you that any U.S. federal tax advice contained in this message is intended to be used, and cannot be used, for the purpose of (i) promoting, marketing or recommending to another party any

LawOffices.com) (Chris@WhelanLawOffices.com)

SHC case in Alameda County Superior Court. As you know, the proper venue for this case. As the Complaint asserts, the Complaint and Housing Act ("FEHA"), this action should be brought in the location where the "unlawful practices" alleged under

the Complaint should have an action tried in the county of his or her residence. Under the general venue rule. (Cal. Code of Civ. Proc. 395, 396, 397; *Kaluzok v. Brisson* (1946) 27 Cal. 2d 760, 763-764; 13-224; *Holstein v. Superior Court* (1969) 275 Cal. 2d 100, 103-104) It is noted that the FEHA venue provision under Government Code section 12940 as to the FEHA causes of actions and also to related causes of actions in the same set of facts. *Brown v. Superior Court, supra*, 37

part:

the county in which the unlawful practice is alleged to have occurred, if records relevant to the practice are maintained in the county where the aggrieved person would have worked or would have been hired for the alleged unlawful practice, but if the records are maintained elsewhere, an action may be brought within the county

of the county of Government Code section 12940 et seq., namely the county in which the enumerated characteristics, including race. Under this provision, an action may be brought in Superior Court because the unlawful practices claimed, in this case, allegedly occurred in SHC's Cancer Center located in Alameda County.

The relevant "records" are maintained in Alameda County. The records related to her non-FEHA claims. Alleged unlawful practices under Government Code section 12940 are based on the same set of facts as the FEHA claims. The FEHA claims are maintained by the employer, SHC, and the venue provision requires that Ms. Young's claims are properly brought in Alameda County Superior Court.

This is a lawsuit with at least two causes of action, each of which is a cause of action. (1991) 230 Cal.App.3d 541, 545. Under the mixed venue rule, when any alleged claim warrants adjudication in a particular county, allivolous causes of action merely to forum

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9) 96 Cal.App.3d 715, 720. Here, the mixed action rule enue in which the FEHA claims are properly heard.

ion 397(c), the court has discretion to transfer the case sses and the ends of justice would be promoted by the) This test is met here. The alleged FEHA violations sted in, Palo Alto. Further, the relevant witnesses work venience Ms. Young because she still currently works

let me know **by the close of business on Monday** ase to Santa Clara County Superior ansfer this case to San Mateo County Superior Court, in Redwood City and seems to allege that at least some re.

have no choice but to file a motion for transfer of o(b), we will also move for our reasonable expenses sfer. As you are surely aware, under that section, thoseorney, not the party.

nois * Maryland * Massachusetts * Missouri * Nebraska * Nevada * New Jersey * South Dakota * Texas * Virginia * Washington * Washington, DC * West Virginia

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BIT 3

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im, safety violations after co-worker dresses as KKK

yes racism, safety violations

s-racism-safety-violations-after-co-worker-dresses-as-kkk



ed firsthand at Stanford has only gotten worse, according to
er of San Francisco filed Thursday in Alameda County

er said Friday. "And when she reports it to management,
cident was the seed, but far from the whole thing. "

summer, Stanford held a town hall meeting. Young, who is
I medical students say they too have experienced racism
complain about it to superiors.

posing both racism and safety violations, the lawsuit claims,
ouldn't keep quiet any longer.

cause the health care center terminated everyone involved.
ed the claims and sent a statement on Friday to KTVU
many untruths and exaggerations.... SHC has zero
eetful conduct."

is, SHC has been extremely proactive in addressing all of

s blamed, bullied and made to feel like she was crazy.
anagers denied any wrongdoing, failed to promote her,
gainst her, moved her to an isolated location with worse and
advanced job responsibilities. Young is suing Stanford
ation, failure to prevent unlawful harassment and assault

iversity training sessions in place, which resulted in this

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m, safety violations after co-worker dresses as KKK

aliated against Ms. Young, she continues to work for SHC
utner acknowledged that Young was "technically"
te location, which she alleges is improperly staffed and

accused of lying about it. After reporting further instances
ent two racist videos to her, both of which repeat the "N"
ut black women loving fried chicken," the suit claims.

ment that had been inserted into surgery patients.

an f—ing country!" to a Muslim patient praying in the

allway and followed her to New Park Mall in Newark after
work.

nt that an anal catheter was accidentally inserted into her

i colleague in the GI oncology team told her she was going
ended up doing it, and yet another colleague

ough the employee is not wearing a pointed hat, the lawsuit
ate a "hostile work environment." Young told the director of
suit claims. The suit claims that on previous Halloweens,
either.

photo of the medical assistant with a pillowcase over her
um, the area between the genitalia and anus, joking that the
, an African-American/Cherokee medical assistant." That

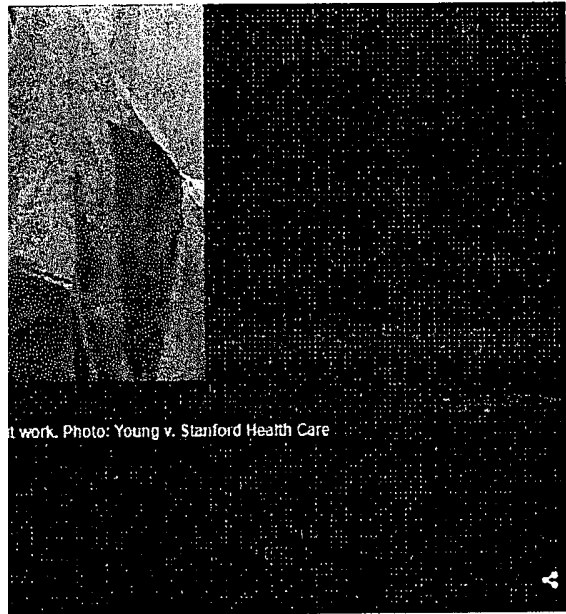
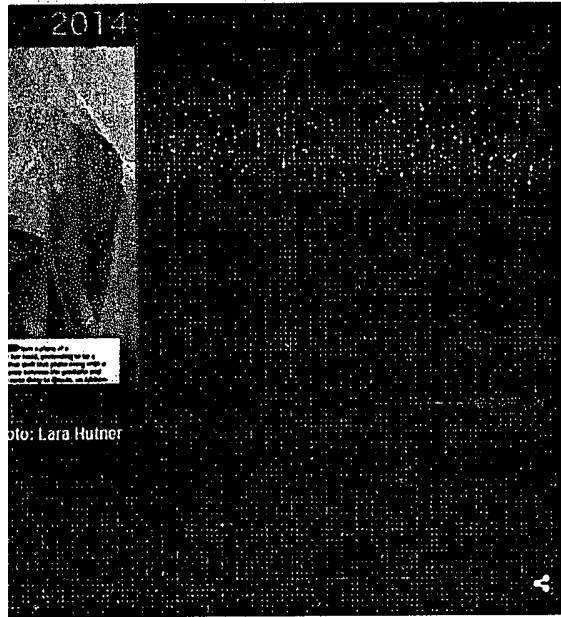
ging to KTVU hat it happened. But Stanford said those
ict and terminated all of the employees involved ...including
anagement and the supervisor. SHC also terminated the
e of a patient."

inty Superior Court, which she believes is a more favorable
in the East Bay.

s the public to know."

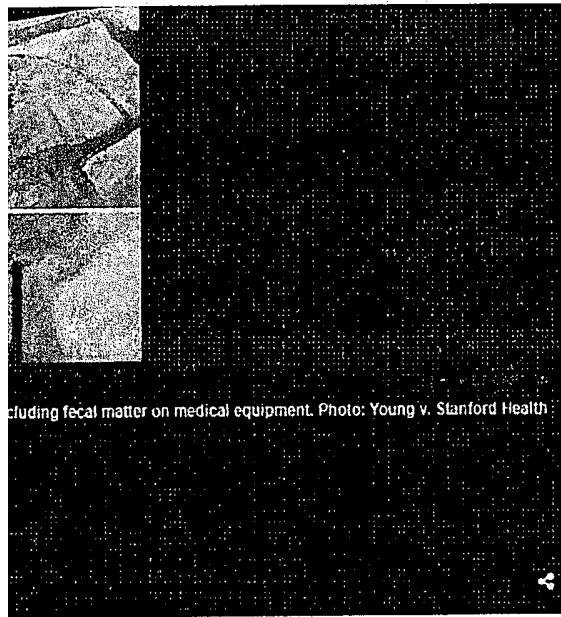
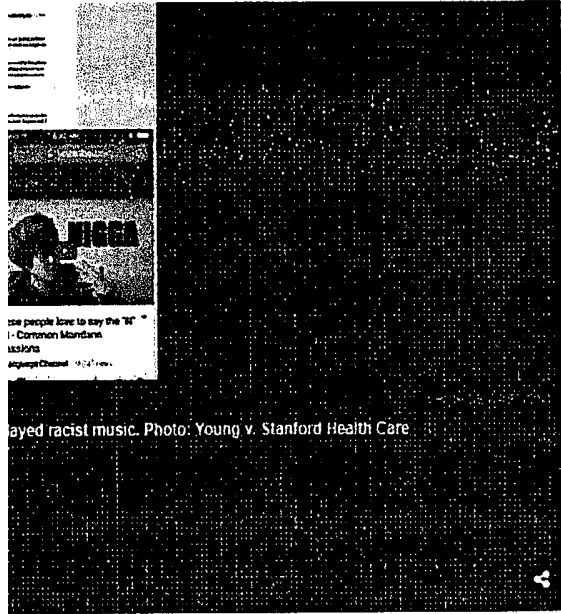
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CLERK OF THE SUPERIOR COURT

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OF THE STATE OF CALIFORNIA
IE COUNTY OF ALAMEDA

Case No. RG17877051

**DECLARATION OF SUZANNE
HARRIS IN SUPPORT OF
DEFENDANT'S MOTION FOR
TRANSFER OF VENUE AND MOTION
FOR SANCTIONS**

OES) *Accompanying papers: Notice of Motion and
Motion; Memorandum of Points and
Authorities; Request for Judicial Notice;
Declaration of Pamela Ng; Proposed Order*

Date: November 28, 2017
Time: 3:00 p.m.
Dept.: 23
Judge: Brad Seligman
Reservation No.: R-1899966

Complaint Filed: September 28, 2017

ws:

ye & Labor Relations for Stanford Health Care. I
ontained herein, and could and would, if called upon to
ers.

elations ("ELR") Office is located in Stanford,
anford Health Care's administrative policies, complaint

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the ELR Office through such procedures, as well as
the ELR Office in relation to such complaints.

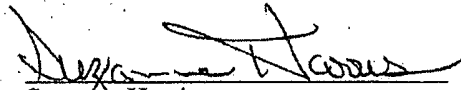
Resources for Stanford Health Care is located in Palo Alto,
Stanford Health Care employees are maintained by the Office of

Access to employment status records for Stanford Health
Care of same, I have determined that the following
Stanford Health Care: 1) Qiquia Young, Pelvic Health
Center, Mary Gaines, Office of Employee Labor Relations,
Stanford, California; 2) Blake Wilbur Multispecialty Clinic, Clinic Clerical
Center, Assistant Clinical Operations Manager; 5)
Administrative Director; 6) Patricia Falconer, Cancer Center,
Stanford, California; 7) David
Chief Financial Officer; 9) Quinn McKenna, Main Hospital, Chief
Financial Officer.

Main Hospital is located in Stanford, California. The
Pelvic Health Center is located in

perjury under the laws of the State of California that the

2017 at Palo Alto, California.


Suzanne Harris

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ALAMEDA COUNTY

OCT 17 2017

NI, LLP

CLERK OF THE SUPERIOR COURT
By _____

OF THE STATE OF CALIFORNIA
IE COUNTY OF ALAMEDA

)
) CASE NO. RG17877051
)
) **MEMORANDUM OF POINTS AND**
) **AUTHORITIES IN SUPPORT OF**
) **DEFENDANT'S MOTION TO**
) **TRANSFER VENUE AND MOTION**
) **FOR SANCTIONS**
)
) *Accompanying papers: Notice of Motion*
) *and Motion; Request for Judicial Notice;*
) *Declarations of Suzanne Harris and*
) *Pamela Ng; Proposed Order*
)
) Date: November 28, 2017
) Time: 3:00 p.m.
) Dept.: 23
) Judge: Brad Seligman
) Reservation No.: R-1899966
)
) Complaint Filed: September 28, 2017

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POINTS AND AUTHORITIES

INTRODUCTION

ce of deliberately searching through multiple courts or
one that is most likely to give a party the result he or
Fair Employment and Housing Act (“FEHA”),
out in her 102-page First Amended Complaint
ns of racial discrimination and harassment that include
, use of the “N-word” and other racially offensive
se to a KTVU reporter, Plaintiff’s counsel stated that
County because she believes it is the venue most
da County is not proper, however, because the
d to violate *FEHA* all purportedly took place at
Santa Clara County. In fact, none of the “unlawful
n Alameda County, nor are any of the relevant
to the *FEHA claims* maintained there.
ie statute (California Government Code section
’s general venue statutes (California Code of Civil
1 must be transferred to Santa Clara County. This is so
n-FEHA causes of action in an attempt to establish
-settled that such “mixed actions” must still be heard
wise, plaintiffs could do what Plaintiff’s counsel
ous causes of action merely to forum shop.
ansfer this action to Santa Clara County because
ss than 10 current employees of SHC that Plaintiff will
e witnesses. As each of these employees are engaged in
g patient care, both the convenience of these witnesses
ing the trial of this action in Santa Clara County
closest to their place of employment. Further, as

ford Health Care, she can make no credible showing

Care (“SHC”)¹ should be awarded its attorneys’ fees motion because it could have, and should have, been e of FEHA’s special venue statute, yet deliberately

Such tactics included manufacturing a non-FEHA e allegedly worked “off the clock” in Alameda allegations so as to avoid scrutiny by this Court. Even xplicit notice (not once but twice) that “mixed d by FEHA’s special venue statute, Plaintiff’s counsel As it simply cannot be concluded that Plaintiff’s sed to stipulate to a change of venue based on sound t Plaintiff’s counsel are warranted.

TUAL BACKGROUND

on under FEHA including race discrimination, environment harassment, retaliation (for complaining and failure to prevent harassment, discrimination and iction, Plaintiff *alleges* the following facts:

SHC (collectively referenced herein as, “Stanford assistant in SHC’s Cancer Center in Palo Alto, s that on October 30, 2014, a member of the GI ing that “she was going to dress up as the Ku Klux 0.) Plaintiff alleges that on October 31, 2014, Natalie took a photograph of Elizabeth Dobbins (also a former the Cancer Center exam room. (*Id.* at ¶¶2, 61, 69.) lanager, Tim Svozil, and Director of Clinical ne Bailey, knew about the conduct, they took no action

ford Hospital and Clinics.”

o allegedly reported the conduct to Kim Ko of SHC's

) After reporting these incidents, Plaintiff allegedly
(¶¶17, 70.)

alleges that Ms. Buranzon took a picture of a patient's
ured Stanford Oncologist allegedly informed Stanford
izon circulated the patient's photograph to other staff
e same thing to Plaintiff. (*Id.*)

rked with an African American surgeon (hereinafter,
nts' Pelvic Floor Clinic. (*Id.* at ¶¶55, 71.) Plaintiff
ort when she faced alleged racist behavior at work.

/ supported Plaintiff's report of race harassment,
gainst Surgeon and closed the Pelvic Floor Clinic. (*Id.*

c was closed in Spring and Summer 2015, Plaintiff
ician position. (*Id.* at ¶73.) Although Surgeon
osition, Stanford Defendants allegedly offered the
ff making a complaint. (*Id.*)

nts promoted Plaintiff to the Patient Testing

o deny her pay commensurate with the title." (*Id.* at

ned and Plaintiff worked with Surgeon, Plaintiff

l periods, and often was denied meal periods entirely."

acism and retaliation that she and Plaintiff experienced

Stanford University officers. (*Id.* at ¶97.) Plaintiff

lants' "campaign of retaliation," Surgeon "had no

t with" Stanford Defendants. (*Id.* at ¶¶12, 100.)

December 2016,² she witnessed a co-worker use the

her co-worker, Breeana Kent. (*Id.* at ¶¶2, 90.) Plaintiff

Housing ("DFEH") complaint dated January 15, 2016 alleges that
ort of Request for Judicial Notice ["RJN Dec."] at Exhibit B.)

(*Id.* at ¶91.) Stanford Defendants assigned the
ian, Denise Bailey (an Employee Labor Relations
iased. (*Id.* at ¶92.) Plaintiff alleges that although Ms.
ford Defendants took no action. (*Id.* at ¶94.)
visor at SHC, Christina Guijarro, allegedly assaulted
enacingly over” her. (*Id.* at ¶122.) Plaintiff allegedly
allegedly did not respond until almost two weeks
copied her manager, Suzanne Harris, Director of
ant SHC. (*Id.* at ¶126.) Ms. Harris allegedly
Plaintiff that she was under investigation. (*Id.* at ¶127.)
a disciplinary write up to Plaintiff as a result of the
of this action was allegedly in furtherance of Stanford
s, and oppression.” (*Id.* at ¶133.)
n warning, Stanford Defendants allegedly “made the
vic Floor Clinic out of the Cancer Center” to a new
134, 171.) Plaintiff alleges she was the only member of
rove. (*Id.* at ¶134.) Stanford Defendants allegedly
r which it had enhanced the educational requirements
Plaintiff asked Cancer Center Director, Patricia
e allegedly had no explanation. (*Id.* at ¶136.) When
edly warned Plaintiff that she needed to behave in order
edly inquired with Freida Acu, the employee who
nents. (*Id.* at ¶137.) Ms. Acu allegedly denied creating
id not need to reapply. (*Id.* at ¶¶137-38.)
t specified) she heard her co-workers playing a song
) She allegedly reported her co-workers to SHC
spond. (*Id.*) One of the same co-workers then
me under the guise of “imitating” someone speaking

Plaintiff alleges that instead of investigating and interviewing a Berrier (an Assistant Director for several of SHC's employees) via email. (*Id.* at ¶¶2, 28, 146-47.) Plaintiff alleges that the employee at SHC investigated. (*Id.* at ¶¶28, 149.) In November 2016, Plaintiff heard from a co-worker that the employee had information about a Muslim patient that she had observed. The employee allegedly reported this to SHC management, which provided the employee with anti-harassment training. (*Id.* at ¶151.) In November 2016, she reported an incident wherein a nurse was accused of discrimination on the basis of disability resulting from a patient's dark skin color. (*Id.*

PROCEDURAL HISTORY

Ms. Flores filed her complaint with DFEH on December 14, 2015, January 15, 2016 and February 15, 2016. All three complaints reference the individual defendant, Ms.

Ms. Flores. Ms. Flores filed suit in Alameda County Superior Court alleging violations of FEHA. On February 7, 2016, Plaintiff filed a FAC, again alleging violations of FEHA. The FAC also asserts non-FEHA causes of action for wrongful termination, verbal retaliation, and wage and hour violations. (*Id.* at ¶¶1-7.) Ms. Flores seeks relief for violation of FEHA.

LEGAL ARGUMENT

This Court for a Transfer of Venue

California Code of Civil Procedure section 396b(a), provides that the proper venue is the particular county within the state where a case is to be heard. (Cal.App.2d 595, 600.) Generally, venue statutes in the Code of Civil Procedure provide that the county that constitutes the proper venue in a particular case is the county in which the action is commenced. (Code of Civil Procedure section 396b(a), provides:

When the venue of an action or proceeding is not commenced in the proper county, the court shall, upon motion, transfer the action or proceeding to the proper county.

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action or proceeding transferred to the [redacted].]

proper venue when a defendant sufficiently [redacted] is improperly venued. (Code Civ. Proc., § 396b(a).)

Proper Venue Under Government Code Section

complaint against a defendant in the county of the [redacted] is within some exception to the general venue statutes. [redacted] *or Court* (1984) 37 Cal.3d 477, 483.) One exception is [redacted] California Supreme Court has held that, “the special [redacted] control [over general venue statutes] in cases involving [redacted] ns are joined with related claims pled under alternative [redacted] t, 37 Cal.3d at 487.)

Government Code section 12965(b), provides venue rules for [redacted] s in pertinent part:

“[redacted] ought in any county in the state [1] in [redacted] ce is alleged to have been committed, [redacted] the records relevant to the practice are [redacted] red, or [3] in the county in which the [redacted] ave worked or would have had access to [redacted] 1 but for the alleged unlawful practice, [redacted] found within any of these counties, an [redacted] within the county of the defendant’s [redacted] e . . . (Gov. Code, § 12965(b).)

[redacted] rs to conduct in violation of FEHA, namely, the alleged [redacted] is of protected classes, including race, and retaliation [redacted] ination and harassment.

[redacted] 12965(b), the proper venue for this action is Santa Clara [redacted] that form the basis of Plaintiff’s FEHA causes of action [redacted]

C. There are 65 paragraphs in the FAC that refer [redacted]

[redacted] Clara County in alleged violation of FEHA. These [redacted]

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ts, the closure and later relocation of the Pelvic Floor
l by Plaintiff's co-workers. Moreover, Plaintiff
SHC's Human Resources or Employee & Labor
nta Clara County. (Declaration of Suzanne Harris
aintains all records relevant to Plaintiff's FEHA
ng policies and procedures, personnel files, and records
s. (*Id.*)

or *Credit Co. v. Superior Court* (1996) 50 Cal.App.4th
omplaint in Los Angeles County, where they resided,
their employment with defendant in Sacramento
t to overturn the trial court's denial of its motion for
here plaintiffs were employed. (*Id.*) The Court held
b), "venue was *mandatory* in Sacramento County
criteria," namely that the unlawful practices allegedly
records relevant to the practice' were maintained
The Court further held that the "action was not
' (*Id.*) Similarly here, Plaintiff filed her FAC in
ever, at least two of the three enumerated criteria under
atisfied in that the "unlawful practices" allegedly
ords relevant to those practices are also maintained
ounty is *mandatory*.

at venue is nevertheless proper in Alameda County
s reimbursement claims are based on activity in
intiff is suing for assault and battery, is a resident of
l belief," copies of falsified "crash cart" reports are
la County; and (4) bills for Plaintiff's personal cell
neda County. (FAC at ¶¶10, 49-51, 307-08.)

recovery of a "penalty or forfeiture" for Plaintiff's

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ess expenses and Defendant Flores' place of residence
IA venue statute controls over the Code of Civil
rown v. Superior Court, supra, 37 Cal.3d at p. 487.)

o do not establish that venue in Alameda County is
rs to conduct *in violation of FEHA*, i.e. race

1. (Gov. Code, §12940.) In the "Venue" section of the
unlawful practices" occurred in Alameda County.

records" are maintained in her and Surgeon's

§51.) These "records" however are identified

and consist of "crash cart" reports that Plaintiff alleges
personal cell phone that Plaintiff alleges she used for

10, 307, 333.) These records do not relate to "unlawful
tiff's non-FEHA causes of action for wage and hour
nder the Health and Safety Code.

SHC has a facility in Emeryville, California, venue is
2-53.) Plaintiff, however, *does not allege that she ever
he was subjected to any "unlawful practice" there.*

his case should be heard in Alameda County because
le section 12965(b) is to give plaintiffs a wide choice of

for a financially stressed litigant to bring an action in a
cluding the costs of securing important witnesses for
perior Court, supra, 37 Cal.3d at p. 486.) However, it

venue under the FEHA is not an opportunity for
unreasonable burden on witnesses and the defendant."

perior Court (1994) 22 Cal.App.4th 222, 226.)

d the special FEHA venue statute is not served in this
ounty. In discussing why the wide choice of venue

preme Court recognized that "victims of employment

-- many times as the result of the alleged financial resources." Plaintiff alludes that the Court allowing her to file suit where she deems "the most l.) Plaintiffs in *Ford Motor* made a similar argument, their choice of venue did not satisfy any of the criteria l.) (*Ford Motor Credit Co., supra*, 50 Cal.App.4th at vailing here. Not only does Plaintiff's choice of venue nt Code section 12965(b), but she still works for SHC. is not a "financially stressed litigant" who would have at any violation of *FEHA* occurred in Alameda County s are maintained there. Thus, per Government Code the proper venue for this action.

st Be Transferred in Its Entirety to Santa Clara

se, defined as a lawsuit with at least two causes of e statute, or two or more defendants, who are subject to *Superior Court, supra*, 37 Cal.3d at p. 488.) Under the s entitled to a change of venue as to one cause of *Jhirmack Enterprises, Inc. v. Superior Court* (1979) 96 ffs could assert frivolous, non-genuine causes of action es (1889) 79 Cal. 30, 33.)

Plaintiff's FEHA claims is governed by Government alleges that her causes of action for unpaid wages and s arose in Alameda County and are subject to the venue ction 393. (FAC at ¶50.) Thus, those claims and the tatutes. Further, she asserts that Defendant Flores is

of Civil Procedure section 395, while SHC is subject
-49.) Thus, this is a textbook “mixed action” case.
and non-FEHA causes of action, the FEHA’s special
ing general venue provisions. (*Brown v. Superior*
Here, because Defendant is entitled to a *mandatory*
re action must be transferred to Santa Clara County.

**Should Transfer this Action to Santa Clara County
ice of Witnesses and the Ends of Justice**

edure section 397, subdivision 3, empowers a trial
: convenience of witnesses and the ends of justice
nge of venue made pursuant to this section lies
the trial judge. (*J.C. Millett Co. v. Latchford-Marble*
4.) While generally the convenience of the employees
en such employees are being called by an adverse party,
venience. (*Id.* at p. 227; *Harden v. Skinner &*
57 [“... these (employee) witnesses are not being
h employer. They are being called by the adverse party
”]; *Lieberman v. Superior Court* (1987) 194 Cal.App.3d
tion has arisen allowing a court to consider the
ees of a party. That exception obtains when the
adverse party rather than on behalf of their

gement, Inc. v. Superior Court, supra, 22 Cal.App.4th
der FEHA, is illustrative. There, the appellate court
cretion in denying the hotel’s motion for a change of
nesses from San Mateo County to Tulare County. (*Id.*
venue to Tulare County was proper because all of the
he area around Tulare County, all of the relevant events

ent documents would be there, and plaintiffs made no
inconvenienced by the change. (*Id.*)

ground basis for transferring this case to Santa Clara
Interests and the ends of justice would be promoted by the
following *current employees* of SHC: 1) Mary
Ann, Administrative Director; 2) Suzanne Harris, Office
Manager; 3) Chanrath Flores, Blake Wilbur Multispecialty Clinic,
San Jose; 4) Guijarro, Palo Alto Cancer Center, Assistant Clinical
Director; 5) Palo Alto Cancer Center, Administrative Director; 6)
John, Chief Executive Officer; 7) Quinn McKenna, Main SHC
Director; 8) Patricia Falconer, Palo Alto Cancer Center, Administrative
Director; 9) Palo Alto, Chief Financial Officer; and 10) Martha Berrier,
Director. (Harris Dec. at ¶1, 4.)

Plaintiffs have been identified in the FAC as persons that have
been relevant to the claims asserted and/or that took actions
that Plaintiff alleges that Seshadri, Entwistle and McKenna had
knowledge of alleged incidents of race discrimination but “failed
to act.” Plaintiff alleges that Gaines had knowledge of Plaintiff’s
allegations and “scrutinized” Plaintiff thereby allegedly putting her
at risk. Plaintiff alleges that Seshadri engaged in numerous actions
that had the desired effect of intimidating her and instilling fear of
her. Plaintiff alleges that Guijarro and Falconer endangered patient
safety by failing to take action in response to Plaintiff’s alleged
complaints at ¶112(1), 112(8).) Plaintiff alleges that Berrier sent
Plaintiff a letter that Plaintiff alleges that Flores assaulted and battered her.
Plaintiff alleges that Hoeff and McKenna endangered patient safety or failed to
investigate and respond to Plaintiff’s alleged complaints relating to patient safety. (*Id.* at ¶171.)

ly fair to assume that Plaintiff may call these at trial. As such, the convenience of the venue in idered. All of these potential witnesses work in either Dec. at ¶¶4-5.) As a result, the convenience of the holding the trial of this action in Santa Clara County. y a change of venue because the potential witnesses viding patient care at SHC. Should any or all of these ial during their working hours, they are more easily tients and families, and to provide continuity of care to at is close to their place of work.

all of the events which form the basis of the FEHA nford's Cancer Center in Palo Alto. Further, all of the uding personnel files, administrative policies and D's Office of Human Resources and Employee & Labor (Harris Dec. at ¶¶2-3.) Finally, Plaintiff would not be Santa Clara County because she is a current employee ty. (Harris Dec. at ¶¶ 4-5; FAC at ¶¶ 55, 171.)

transferring this action to Santa Clara County pursuant tion 397, subdivision 3, is proper. (See *Richfield Hotel* a, 22 Cal.App.4th at 227.)

1 Defendant SHC Its Expenses and Attorneys' Fees Motion

e section 396b(b) provides:

may order the payment to the prevailing es and attorney's fees incurred in tion to transfer . . . the court shall take ther an offer to stipulate to change of le and rejected, and (2) whether the ue was made in good faith given the king the motion or selecting the venue vn. As between the party and his or her nd fees shall be the personal liability of e to the party.

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discretion and award defense counsel its attorneys' ant motion. Defense counsel, Michael Bruno, both after the filing of the initial Complaint and the of venue from Alameda County to Santa Clara County. ec."] at Exhibits 1, 2.) In doing so, Mr. Bruno detailed supporting the proposed change of venue. (*Id.*) Ms. late. (*Id.*) Thus, the first condition for awarding

sanctions has also been met because it cannot selected the current venue in good faith. Ms. Hutner decided to file suit in Alameda County because she n than Santa Clara County." (See Ng Dec. at Exhibit

otive for selecting the current venue is evident from none of the facts pled in support of the FEHA causes Moreover, Ms. Hutner acknowledged explicitly in the knowledge of FEHA's special venue provision. (FAC uld not have alleged, that any of the facts pled in " under the FEHA occurred in Alameda County. She relevant to Plaintiff's "claims" are maintained at her neda County. (*Id.*) It is obvious that Ms. Hutner egations in a vague fashion for the purpose of) from determining what precisely what kind of eing referenced. This is evident, because Ms. Hutner (non-venue specific) portions of the FAC that these h cart" records and cell phone bills that were not 7-88, 307-308, 333.) As noted above, these records do tified FEHA's special venue provision.

rather, to her *non-FEHA* claims for whistleblower
(*Id.* at ¶¶ 196-199, 205-208, 305-306.)


I have knowledge that she selected the wrong venue at
it, she certainly knew by the time that she filed the
red to stipulate to a change of venue and provided the
. Hutner still will not stipulate to transfer the case to
“unlawful practices” under FEHA occurred. As Ms.
re offer to stipulate, and could have prevented the filing
award of sanctions against Ms. Hutner in the amount

CONCLUSION

tion 12965(b), Defendant SHC respectfully requests
n to Santa Clara County Superior Court.

GORDON REES SCULLY MANSUKHANI,
LLP

By: _____



MICHAEL D. BRUNO
ALYSON S. CABRERA
PAMELA Y. NG

Attorneys for Defendant
STANFORD HEALTH CARE

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NI, LLP

F THE STATE OF CALIFORNIA
E COUNTY OF ALAMEDA

)
) CASE NO. RG17877051
)
) **[PROPOSED] ORDER GRANTING**
) **DEFENDANT'S MOTION TO**
) **TRANSFER VENUE AND MOTION**
) **FOR SANCTIONS**
)
) *Accompanying papers: Notice of Motion*
) *and Motion; Memorandum of Points and*
) *Authorities; Request for Judicial Notice;*
) *Declarations of Suzanne Harris and*
) *Pamela Ng*
)
) Date: November 28, 2017
) Time: 3:00 p.m.
) Dept.: 23
) Judge: Brad Seligman
) Reservation No.: R-1899966
)
) Complaint Filed: September 28, 2017
)
)
)

ORD HEALTH CARE for an Order transferring this
for the County of Santa Clara and for an Order
Department 23 of this Court located 1221 Oak Street,
eligman, presiding.

ving and opposition papers, and having heard the

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the motion to transfer venue is proper under
use the alleged FEHA-related conduct occurred at
Santa Clara County, and because the records relating to
are also maintained with Plaintiff's employer, SHC, in

Defendant reasonably offered to stipulate to transfer
Plaintiff's counsel unreasonably rejected the offer not once but
Plaintiff's selection of venue was not made in good faith
and, or should have known, by Plaintiff's counsel.

It is ordered that Defendant's motion to transfer venue is
denied and the matter is remanded to the Superior Court of California for the County

Plaintiff's counsel is sanctioned in the amount of \$6,350.00,
to be paid to Stanford Health Care within fifteen (15) days of the
entry of this order. Plaintiff shall also pay the reasonable
of fees and costs Defendant reasonably incurred in

Honorable Brad Seligman
Judge of the Superior Court

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FILED
ALAMEDA COUNTY

ANI, LLP

OCT 17 2017

CLERK OF THE SUPERIOR COURT
By [Signature]

OF THE STATE OF CALIFORNIA
THE COUNTY OF ALAMEDA

CASE NO. RG17877051

ARE;
;
ugh

REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANT'S MOTION
TO TRANSFER VENUE AND MOTION
FOR SANCTIONS; MEMORANDUM
OF POINTS AND AUTHORITIES;
DECLARATION OF ALYSON
CABRERA

Accompanying papers: Notice of Motion and
Motion; Memorandum of Points and
Authorities; Declarations of Suzanne Harris
and Pamela Ng; Proposed Order

Date: November 28, 2017

Time: 3:00 p.m.

Dept.: 23

Judge: Brad Seligman

Reservation No.: R-1899966

Complaint Filed: September 28, 2017

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FOR JUDICIAL NOTICE

is 452 and Rule of Court, rule 3.1306, subdivision (c),
lant”), by and through its attorneys, hereby request the
ing documents:

air Employment and Housing (“DFEH”) complaint

: A to the Declaration of Alyson Cabrera.

complaint filed on January 15, 2016. See **Exhibit B** to

it filed on September 2, 2016. See **Exhibit C** to the

OF POINTS AND AUTHORITIES

mits the Court to take judicial notice of “official acts”
n invoked routinely to take judicial notice of reports of
ll (1996) 42 Cal.App.4th 1746, 1750 [court can take
ate administrative agencies]; *C.R. v. Tenet Healthcare*
02; *Hogen v. Valley Hospital* (1983) 147 Cal.App.3d
specifically taken judicial notice of DFEH complaints.
Cal.App.4th 1356, 1371, n. 4 [taking judicial notice of
rvise, Inc. v. Superior Court of Orange County (2002)
rt took judicial notice of DFEH complaint and using the
a].)

l notice of the filing date of the DFEH complaints and
does not ask the Court to take judicial notice of the truth
complaints. This evidence is relevant to the motion to
legations in the FAC asserted against the individual
legedly occurred in Alameda County, are not referenced
is evident that such allegations are not related to the
the Fair Employment and Housing Act claims asserted

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; authority, Defendant's Request for Judicial Notice in
and Motion for Sanctions should be granted.

GORDON REES SCULLY MANSUKHANI,
LLP



By: _____

MICHAEL D. BRUNO
ALYSON S. CABRERA
PAMELA Y. NG

Attorneys for Defendant
STANFORD HEALTH CARE

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ABRERA IN SUPPORT OF DEFENDANTS'
OR JUDICIAL NOTICE

llows:

rm of Gordon Rees Scully Mansukhani, LLP counsel
Care in this action. I have personal knowledge of the
called as a witness, I could and would testify

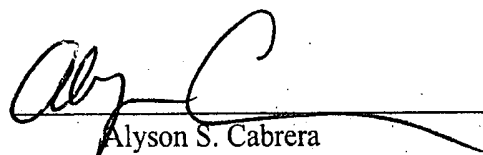
: Declaration.

: A is a true and correct copy of Plaintiff's Department
f") complaint filed on December 14, 2015.

: B is a true and correct copy of Plaintiff's amended
6.

: C is a true and correct copy of Plaintiff's DFEH

under the laws of the State of California that the
is 17 day of October 2017.


Alyson S. Cabrera

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BIT A

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EMPLOYMENT DISCRIMINATION
OF CALIFORNIA
(EMPLOYMENT AND HOUSING
EMPLOYMENT AND HOUSING ACT
(EMPLOYMENT AND HOUSING ACT
1990 et seq.)

DFEH No. 622147-199503

Private College/University subject to suit under
Gov. Code, § 12900 et seq.). Complainant believes

That respondent took the following adverse actions:
1. Denied a work environment free of
discrimination. Complainant believes respondent
acted with a member of a protected class, Color,
Other (reporting patient health, safety and

State of California. If complaint includes co-

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p. 622147-199503

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and practice of harassment, discrimination, as a woman of color (African-er been subjected to disparate impact tus. On December 15, 2014, a co-worker loyees Elizabeth Dobbins and Natalie sed like the Klu Klux Klan while in the raph of the same. On information and by my supervisor, Stanford Assistant id subject to a hostile work environment an and reported the same to Kim Ko of r Director of Clinical Operations, Kathryn increased discrimination, harassment ghtened scrutiny of my performance and ns, increased responsibilities (coupled s), denial of promotional opportunities, ce, denial of pay increases, denial of title, l of meal and rest periods, and , an African-American woman surgeon, 'd altered the terms and conditions of my Dr. Rhoads, where I worked, and now led to take a lunch and often cannot do ent that I was not being paid for overtime ion, harassment and retaliation. I also sident of Stanford Cancer Care Service, sened. In fact, following my protected including, but not limited to, my concerns ; were being exposed to active er Clinic, went unheeded and harassment and retaliation, including, but : patient health and safety concerns, tendance, increased performance ed with denial of support in execution of , denial of pay commensurate with my itle, denial of overtime pay for hours efamation. Moreover, I expressed ographing the genitals of a Stanford otograph without patient knowledge or y and HIPAA rights) - whereas Stanford

622147-199503

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ident, Stanford failed to provide any anti-
prevent future incidents of harassment or
ressing this concern, I was subject to
on, including, but not limited to,
endance, increased performance
ed with denial of support in execution of
, denial of pay commensurate with my
itle, denial of overtime pay for hours
efamation. On information and belief, in
mployees responsible for the ongoing
n, harassment and defamation I have
Director of Clinical Operations, Matthew
Landes, GI Oncology Nurse Manager,
Istina Guijarro, Assistant Clinic Manager

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it in the above-entitled complaint. I have read the
ne is true of my own knowledge, except as to those
and as to those matters, I believe it to be true.

under the laws of the State of California that the

San Francisco, California
Lara Villarreal Hutner

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BIT B

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MENT DISCRIMINATION

OF CALIFORNIA

LOYMENT AND HOUSING

ployment and Housing Act
2900 et seq.)

DFEH No. 622147-204131

a Private College/University subject to suit under
Gov. Code, § 12900 et seq.). Complainant believes

that respondent took the following adverse actions
retaliation Denied a work environment free of
defamed, bullied, retaliated against, and harassed

Complainant believes respondent committed these
protected class, Color, Engagement in Protected
kers use of the N-word in my presence at work,
acy concerns, and reporting wage and hour

ont, State of California. If complaint includes co-

o. 622147-204131

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Io. 622147-204131

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...e of my DFEH Complaint resulting from
...nt, discrimination, and retaliation that I
... status as a woman of color (African-
...ds (an African-American woman surgeon),
...g like the Klu Klux Klan at work and the
... my complaints to management, including
...er Care Service, regarding patient health
...scrimination, harassment, and retaliation,
...tient health and safety concerns,
...ttendance, increased performance
...led with denial of support in execution of
...s, denial of pay commensurate with my
...title, denial of overtime pay for hours
...mation, and my concern that - in response
...a Stanford patient for personal use and
...nowledge or consent (constituting a gross
...as Stanford provided HIPAA training in
...rovide any anti-harassment training or take
...harassment or hate-based activity in the
...Human Resources that, among other
...e N-word in my presence at work. Also, on
...orted me by castigating management for
...ding use of the N-word at work. After my
...and putting Stanford on notice of my
...ve been subjected to further and
...and harassment based on my race,
...tected activities. For example, on
...intimidated and falsely imprisoned by my
...when they reprimanded me and, when I
...hem and was going to leave, Burke
.../ou are not going to leave." I continued,
...harassment by Gujjarro and Burke,
...professionalism, accusations of
...atment of those who are not in my
...ef, Dr. Rhoads has raised the issue of their
...per management, including Sri Seshadri,
...s, Eben Rosenthal, Medical Director of the
...Director, Cancer Center GI Clinical Care

o. 622147-204131

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ssment by Guijarro and Burke, it has only

No. 622147-204131

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nt in the above-entitled complaint. I have read the
me is true of my own knowledge, except as to those
and as to those matters, I believe it to be true.

under the laws of the State of California that the

**San Francisco, California
Lara Villarreal Hutner**

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NOTICE OF SERVICE

SAN FRANCISCO

years of age and not a party to this action. I am a resident of the State of California. My business address is 575 Market Street, San Francisco, California.

Copies of the following document(s) described as

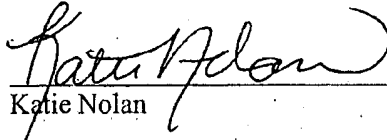
NOTICE OF FAIR EMPLOYMENT AND HOUSING

are as follows:

One copy of the document(s) in a sealed envelope or package addressed to the undersigned, with a return address, was placed in the U.S. Mail and placed in the collection box of the United States Postal Service. I am readily familiar with the practice of mailing correspondence for mailing. On the same day as the mailing, it is deposited in the ordinary course of business, in a sealed envelope with postage fully prepaid. I believe the mailing occurred. The envelope was placed in the mail on or about [redacted] 2018.

Under the laws of the State of California that the

document(s) were served on [redacted] in San Francisco, California.


Katie Nolan

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BIT C

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MENT DISCRIMINATION

E OF CALIFORNIA

LOYMENT AND HOUSING

ployment and Housing Act
(2900 et seq.)

DFEH No. 807960-249028

a Private College/University subject to suit under
Gov. Code, § 12900 et seq.). Complainant believes

that respondent took the following adverse actions
Demoted, Denied a work environment free
transfer, Other, I have been subjected to a witch
y emails from Stanford management, including
ro, while off work and in my home in Fremont,
investigations into these false allegations. In the
that others similarly engage in, and have engaged
gating any of my complaints, management began
pressing my concerns as an intimidation tactic to
Center then tried to deny me employment.
position, but then posted my position as one with
reviously required and than I had. When I told
of the requirements, and claimed that my new

o. 807960-249028

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that manager, she informed me that, not only had I, and in fact she had told my Stanford Cancer Center position, but only needed to let Human Resources

employee who used the word "nigga" in my presence was transferred to a location further from my office opposed to being able to use the free Stanford Pelvic Floor Clinic (which requires that I set up the new Pelvic Floor Clinic for me for that work), requires that I train new employees to work with others who, through lack of training and knowledge of procedures on which I am the technician (such as a Stanford patient). Since my transfer I have had the insertion of a balloon in the anus of a Stanford patient and in the toilet and sift through patient feces. I am cancelling their appointments following the transfer. I am forced to work without guidance from a supervisor for upward mobility. Stanford employees have made an effort to eliminate the Pelvic Floor Clinic and, therefore, I need to find work elsewhere in order to have a department that changes my hours such that I am not overworked. I spend more of my days driving in traffic and working with employees at the new location who do not have the information in the trash, a clear HIPAA violation, and I fear for increased harassment and these actions because of their: Association with a Protected Activity, Race, Sex - Gender, Other Protected Activity, reporting Stanford Cancer Center activities, reuse of feces covered rubber bands and gloves, care procedure, reporting threatening behavior, reporting wage and hour violations, filing and safety violations to the Joint Commission and reporting to Dr. Gilbert Chu of Stanford has brought the attention of Stanford managing agents, including, John Hennessey and former CEO of Stanford

Department, State of California. If complaint includes co-

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807960-249028

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Defamation and retaliation occurred after
I Charges in December of 2015 and
I "nigga" in the Stanford Cancer Center,
h and safety concerns, including, but not
is and feces left dripping on the floor
ed threatening behavior directed at me,
reported wage and hour violations,
lations to the Joint Commission and the
llowing Dr. Chu bringing the
ne to the attention of Stanford managing
Stanford President John Hennessey and
Byerwalter.

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it in the above-entitled complaint. I have read the
ne is true of my own knowledge, except as to those
and as to those matters, I believe it to be true.

under the laws of the State of California that the

San Francisco, California
Lara Villarreal Hutner

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FILED
ALAMEDA COUNTY

OCT 17 2017

ANI LLP
By

OF THE STATE OF CALIFORNIA
THE COUNTY OF ALAMEDA

-) CASE NO. RG17877051
-)
-) **DEFENDANT'S NOTICE OF**
-) **MOTION AND MOTION TO**
-) **TRANSFER VENUE AND MOTION**
-) **FOR SANCTIONS**
-)
-) *Accompanying papers: Memorandum of*
-) *Points and Authorities; Request for*
-) *Judicial Notice; Declarations of Suzanne*
-) *Harris and Pamela Ng; Proposed Order*
-)
-) Date: November 28, 2017
-) Time: 3:00 p.m.
-) Dept.: 23
-) Judge: Brad Seligman
-) Reservation No.: R-1899966
-) Complaint Filed: September 28, 2017

IN ATTORNEYS OF RECORD:

on November 28, 2017 at 3:00 p.m. Department 23
at Alameda Superior Court located at 1221 Oak Street,
WARD HEALTH CARE ("Defendant") will and hereby do
Motion to Transfer Venue and transferring this case
Superior Court and for an Order granting this Motion

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Code section 12965(b), Code of Civil Procedure sections

Plaintiff makes a special appearance in Department 23
to designate the action as a complex case in her Civil Case
to file a counter Civil Case Cover Sheet designating

that Venue is made pursuant to Government Code section
sections 396b(a) and 397(a) and (c), and on the grounds that
that the proper venue because: (1) Plaintiff QIQUIA
complaint ("FAC") does not allege facts demonstrating
that FEHA occurred in Alameda County; and (2) the FAC
records related to the alleged "unlawful practices"
County.

Government Code section 12965(b), Code of Civil Procedure
in Santa Clara County is proper because: (1) the
claims arose at Plaintiff's place of employment, Stanford
County; (2) the records relevant to Plaintiff's FEHA
County; and (3) the convenience of witnesses and the ends
of justice require the trial of this matter in Santa Clara County. Therefore,
Santa Clara County Superior Court, where venue is

that venue is made pursuant to Code of Civil Procedure section
Plaintiff's defendant reasonably made an offer to stipulate to change
the facts and law discussed above; (2) Plaintiff rejected
Plaintiff's express knowledge of FEHA's special venue statute
identified in the FAC and either did, or should have
Plaintiff's and parties' meet and confer exchanges that she
Code of Civil Procedure section 396b(b), which states

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enses and attorney's fees incurred in making the motion
ney," Defendant requests that Ms. Hutner to pay for
bringing the instant Motions in the amount of

s Notice; the attached Memorandum of Points and
nd witnesses; any exhibits submitted in support of these
ds on file with the Court in this action; all papers
natter of which this Court may take judicial notice; any
ch may be presented at the hearing of the Motion to
; and other or further matters or evidence which this

GORDON REES SCULLY MANSUKHANI,
LLP

By:



MICHAEL D. BRUNO
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STANFORD HEALTH CARE

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Stanford Junior University, et al.
Superior Court, Case No. RG17877051

California, over the age of eighteen years, and not a party
is: Gordon Rees Scully Mansukhani, LLP 275 Battery
111. On the below-mentioned date, I served the within

DEFENDANT'S MOTION TO TRANSFER VENUE AND

**AUTHORITIES IN SUPPORT OF DEFENDANT'S
MOTIONS FOR SANCTIONS**

**IN SUPPORT OF DEFENDANT'S MOTION TO
FOR SANCTIONS**

**IN SUPPORT OF DEFENDANT'S MOTION
FOR SANCTIONS**

**IN SUPPORT OF DEFENDANT'S MOTION TO
FOR SANCTIONS; MEMORANDUM OF POINTS
IN FAVOR OF ALYSON CABRERA**

DEFENDANT'S MOTION TO TRANSFER VENUE

above in a sealed envelope with postage thereon
in the State of California at San Francisco,

Christopher H. Whelan
CHRISTOPHER H. WHELAN, INC.
11246 Gold Express Drive, Suite 100
Gold River, CA 95670
Telephone: 916-635-5577
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Attorneys for Plaintiff

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late of deposit for mailing in affidavit. I declare
the State of California that the above is true and

San Francisco, California.



Vanessa Santellan