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Superior Court of California,
County of San Diego

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO – CENTRAL DIVISION**

SANDY NARANJO,

Plaintiff,

vs.

UNITED FOOD & COMMERCIAL
WORKERS LOCAL 135, a labor union
charter; and DOES 1 through 20,

Defendants.

CASE NO. 37-2016-00044084-CU-OE-CTL

**[PROPOSED] ORDER GRANTING
MOTION FOR SUMMARY JUDGMENT
BY DEFENDANT UNITED FOOD AND
COMMERCIAL WORKERS, LOCAL 135;
AND JUDGMENT**

Assigned for all purposes to:
The Honorable Ronald L. Styn
Dept. C-62

Hearing Date: February 2, 2018
Time: 8:30 a.m.
Department: C-62

Complaint filed: December 15, 2016

UNITED FOOD AND COMMERCIAL
WORKERS, LOCAL 135,

Cross-Complainant,

vs.

SANDY NARANJO,

Cross-Defendant.

1 The Motion of Defendant United Food and Commercial Workers, Local 135
2 (“Defendant”) for Summary Judgment or, in the alternative, for Summary Adjudication of Issues
3 was heard at the above date and time. Appearing as attorneys were Michael R. Feinberg and
4 Michael D. Four on behalf of the Defendant and Manuel Corrales, Jr. on behalf of Plaintiff
5 Sandy Naranjo.

6 After considering the papers filed in support of and in opposition to the Motion, and the
7 oral argument of counsel, the Court finds that Defendant is entitled to judgment as a matter of
8 law under Section 437c of the Code of Civil Procedure.

9 **IT IS HEREBY ORDERED, DECREED AND ADJUDGED** that:

- 10 1. Defendant’s Motion for Summary Judgment be granted.
11 2. Judgment be entered in favor of Defendant, and that it recover its costs of suit
12 incurred herein.

13 There is no triable issue of material fact with respect to the following matters for the
14 reasons indicated:

- 15 1. The undisputed facts do not support Plaintiff’s First Cause of Action for
16 Gender Discrimination under Government Code, § 12940(a) and Defendant is entitled to
17 judgment as a matter of law.
18 2. Plaintiff’s Second Cause of Action for Retaliation for Political Affiliation
19 is preempted by the Labor-Management Reporting and Disclosure Act and Defendant is
20 entitled to judgment as a matter of law.
21 3. The undisputed facts do not support Plaintiff’s Third Cause of Action for
22 Disability Discrimination under Government Code, § 12940(a) and Defendant is entitled
23 to judgment as a matter of law.
24 4. The undisputed facts do not support Plaintiff’s Fourth Cause of Action for
25 Failure to Take Reasonable Steps to Prevent Discrimination under Government Code,
26 § 12940(k) and Defendant is entitled to judgment as a matter of law.

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5. Plaintiff's Fifth Cause of Action for Wrongful Termination in Violation of Public Policy fails because the statutory claims on which it is based also fail and Defendant is entitled to judgment as a matter of law.

DATED: _____

HON. RONALD L. STYN
SUPERIOR COURT JUDGE

1 PROOF OF SERVICE

2 *Sandy Naranjo vs.*
3 *United Food & Commercial Workers Local 135*
4 *SDSC Case No. 37-2016-00044084-CU-OE-CTL*

5 LORENA ZAMARRIPA certifies as follows:

6 I am employed in the County of Los Angeles, State of California; I am over the age of
7 eighteen years and am not a party to this action; my business address is 6300 Wilshire
8 Boulevard, Suite 2000, Los Angeles, California 90048-5268. My electronic notification address
9 is lz@ssdslaw.com.

10 On November 20, 2017, I caused the foregoing document(s) described as [PROPOSED]
11 **ORDER GRANTING MOTION FOR SUMMARY JUDGMENT BY DEFENDANT**
12 **UNITED FOOD AND COMMERCIAL WORKERS, LOCAL 135; AND JUDGMENT** to
13 be served upon the person(s) shown below:

14 Daniel M. Gilleon, Esq.
15 Samuel A. Clemens, Esq.
16 The Gilleon Law Firm
17 1320 Columbia Street, Suite 200
18 San Diego, California 92101
19 E-mail: dan@gilleon.com
20 E-mail: sac@mglawyers.com

Roger M. Mansukhani, Esq.
Blake R. Jones, Esq.
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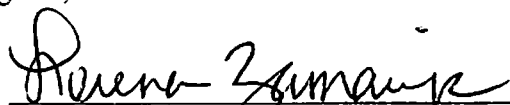
Manuel Corrales, Jr., Esq.
17140 Bernardo Center Drive, Suite 358
San Diego, California 92128
E-mail: mannycorrales@yahoo.com

21 _____ placing it (them) for collection and mailing on that same date following the ordinary
22 business practices of Schwartz, Steinsapir, Dohrmann & Sommers LLP, at its place of
23 business, located at 6300 Wilshire Boulevard, Suite 2000, Los Angeles, California
24 90048-5268. I am readily familiar with the business practices of Schwartz, Steinsapir,
25 Dohrmann & Sommers LLP for collection and processing of correspondence for mailing
26 with the United States Postal Service. Pursuant to said practices the envelope(s) would
27 be deposited with the United States Postal Service that same day, with postage thereon
28 fully prepaid, at Los Angeles, California, in the ordinary course of business. I am aware
that on motion of the party served, service is presumed invalid if the postal cancellation
date or postage meter date on the envelope is more than one day after the date of deposit
for mailing in the affidavit. (C.C.P. §1013a(3))

BY E-MAIL: Instead of placing a copy of the document in a sealed envelope, I sent a
copy of the above-described document(s) via e-mail to the individual(s) set forth above.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on November 20, 2017, at Los Angeles, California.


LORENA ZAMARRIPA