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REC'D
JUN 24 2009
FILING WINDOW

ORIGINAL FILED
AUG 11 2009
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES - CENTRAL DISTRICT

MIRNA ROSALES, JESS MARTINEZ,
MUAYYAD BOUL, SIDNEY PERAZA,
NASSER Y. NASSER, SATNAM SINGH
THANDI, STEVE UWAGBOE, ALI
MOUSSAVI, HANY GERGIS, CARL
DUNLAP, ROBERT T. MORROW, OLEG
GOLDFARP, MAHMMOUD GALAL,
AHMED BADRAN, HENRY MARTINEZ,
JABBAR NAZARIAN, GEOFFREY HODGE,
PETROS TOROSYAN AND MOHAMAD
ZABIHI,

Plaintiffs,

vs.

SUPERSHUTTLE FRANCHISE
CORPORATION, SUPERSHUTTLE
INTERNATIONAL AND SUPERSHUTTLE
LOS ANGELES AND DOES 1-100,
INCLUSIVE and DOES 1 through 50,
inclusive,

Defendants.

Case No.: BC 356305

~~PROPOSED~~ ORDER GRANTING
MOTION FOR SUMMARY
JUDGMENT AND JUDGMENT

Hearing Date: June 3, 2009
Time: 9:00 a.m.
Dept.: 18

The Motion for Summary Judgment, alternatively Motion for Summary Adjudication of
Issues, of Defendants SuperShuttle Franchise Corporation, SuperShuttle International, Inc., and
SuperShuttle Los Angeles, Inc., came on for regularly for hearing before this Court on June 3,
2009. Mr. Ronald A. Chavez appeared on behalf of the SuperShuttle Defendants. There was no

1 appearance on behalf of Plaintiffs. There Court finds that Defendants SuperShuttle Franchise
 2 Corporation and SuperShuttle International, Inc., were dismissed on February 11, 2009, after the
 3 motion was filed. There Court also finds that no opposition to the motion was filed on behalf of
 4 Plaintiffs Mirna Rosales, Jesus A. Martinez, Muayyad Boul, Sidney Peraza, Nasser Y. Nasser,
 5 Satnam Singh Thandi, Steve Uwagboe, Ali Moussavi, Hany Gergis, Carl Dunlap, Robert T.
 6 Morrow, Oleg Goldfarb, Mahmmoud Galal, Hammoud Jalal, Amad Badran, Henry Martinez,
 7 Jabbar Nazarian, Geoffrey Hodge, Petros Torosyan and Mohamad Zabihi. After considering the
 8 moving papers and the absence of an opposition, the Court hereby grants the motion for the
 9 following reasons:

11 The declaration of Rich Powers, as General Manager of SuperShuttle Los Angeles, and the
 12 Exhibits attached thereto, refuted Plaintiffs' claims and shifted the burden of proof to Plaintiffs to
 13 raise triable issues of fact. No opposition papers were filed by Plaintiffs in order to raise any
 14 triable issue of material fact.

16 THEREFORE IT IS ORDERED that the Motion for Summary Judgment is hereby granted.

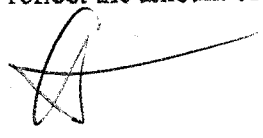
17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

- 18 1. That judgment be, and hereby is, entered in favor Defendants SuperShuttle
 19 Franchise Corporation, SuperShuttle International, Inc., and SuperShuttle Los
 20 Angeles and against all Plaintiffs;
- 22 2. That Plaintiffs' action be, and hereby is, dismissed, with prejudice;
- 23 3. That Plaintiffs, and each of them jointly and severally, be, and hereby are,
 24 ordered to pay Defendants' attorney fees in the amount of \$ 157,661.00
 25 and costs in the amount of \$ 7,448.00, which are authorized by
 26 contract pursuant to Civil Code section 1717 and Code of Civil Procedure
 27 sections 1032 and 1033.5, for a total in the amount of \$ 165,109.00 to be
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determined upon noticed motion and memorandum of costs); and,

- 4. That this Judgment may be amended to reflect the amount of attorneys' fees and costs awarded.



Dated: June __, 2009

HONORABLE COLEMAN A. SWART
SUPERIOR COURT JUDGE

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 111 West Ocean Blvd., Suite #1925, Long Beach, California 90802

On June 23, 2009 I served the foregoing DOCUMENT described as **[PROPOSED] ORDER GRANTING MOTION FOR SUMMARY JUDGMENT AND JUDGMENT** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

James M. Tillipman, Esq.
1717 4th Street, 3rd Floor
Santa Monica, CA 90401-3319

Siamek Pishvae, Esq.
Pishvae & Associates
2934 1/2 Beverly Glen Circle #269
Los Angeles, CA 90077

BY MAIL

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U. S. Postal Service on the same day with postage thereon fully prepared at Long Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

PERSONALLY

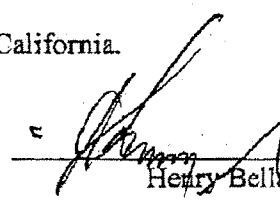
I caused the above described document(s) to be personally served to the addressees on the attached mailing list.

BY FACSIMILE

At the time of transmission I was at least 18 years of age and not a party to this legal proceeding. On _____, at approximately _____ m., I transmitted to the parties on the attached service list the following documents described above, by facsimile machine, pursuant to rule 2006. The facsimile machine I used complied with rule 2003(3) and no error was reported by the machine. Pursuant to rule 2006(d), I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

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

Executed on June 23, 2009 at Long Beach, California.


Henry Bella