

ORIGINAL FILED

MAR 27 2002

LOS ANGELES
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

TERESA LOPEZ,

Plaintiff,

vs.

PHYSICIAN OFFICE SUPPORT
SERVICES; TORRANCE HEALTH
ASSOCIATES; TORRANCE MEMORIAL
MEDICAL CENTER; and DOES 1 through
100, Inclusive,

Defendants.

Case No. BC 248576

Complaint Filed: April 12, 2001

~~PROPOSED~~ ORDER SUSTAINING
DEMURRER TO PLAINTIFF'S FIRST
AMENDED COMPLAINT BY
DEFENDANT TODD SHRADER, M.D.

Date: March 18, 2002

Time: 8:30 a.m.

Dept.: 41

Honorable Ronald M. Sohigian

The Demurrer of defendant Todd Shrader, M.D. to Plaintiff's First Amended Complaint came on regularly for hearing on March 18, 2002, before the Court in Department 41, Honorable Ronald M. Sohigian presiding. After full consideration of the facts, the legal authorities submitted by the parties, and the oral arguments of counsel, the Court finds that there is good cause to sustain Dr. Shrader's Demurrer.

IT IS HEREBY ORDERED that the Demurrer of Dr. Shrader is SUSTAINED as follows:

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1 The Demurrer of Dr. Shrader to the third cause of action of Plaintiff's First
2 Amended Complaint for Retaliation is sustained without leave to amend on the grounds that
3 it fails to state facts sufficient to constitute a cause of action against the moving defendant
4 because the facts plead by plaintiff in support of an action for Retaliation under *California*
5 *Government Code* section 12940, fail to state that plaintiff was engaged in a protected
6 activity and fail to identify any adverse employment-related action by defendant Dr. Shrader
7 against plaintiff as a result of a protected activity. *Cal. Code of Civ. Pro.* § 430.10(e).

8
9 DATED: MAR 27 2002

RONALD M. SOHIGIAN

RONALD M. SOHIGIAN
Los Angeles Superior Court Judge