

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Justin Hewgill [SBN: 259528] HEWGILL, COBB & LOCKARD, APC 1620 Fifth Ave, Suite 325 San Diego, CA 92101 TELEPHONE NO.: 619-432-2520 FAX NO. (Optional): EMAIL ADDRESS (Optional): justin@hcl-lawfirm.com ATTORNEY FOR (Name): HUMBERTO PRADO	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO ☐ CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 ☒ CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101 ☐ CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123 ☐ CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123 ☐ CENTRAL DIVISION, JUV. MINOR OFFENSE, 2901 MEADOW LARK DR., SAN DIEGO, CA 92123 ☐ EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 ☐ NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 ☐ SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910	
PLAINTIFF(S)/PETITIONER(S) HUMBERTO PRADO	
DEFENDANT(S)/RESPONDENT(S) PROBUILD COMPANY LLC.	JUDGE/DEPT James A. Mangione /Dept: C-75
EX PARTE APPLICATION AND ORDER	CASE NUMBER 37-2021-00032916-CU-OE-CTL

Hearing Date: <u>12/07/2023</u> Time: <u>8:30</u> ☒ a.m. ☐ p.m. ☐ Opposed ☐ Unopposed
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1. Type of relief requested: Seeking to dismiss the PAGA COA without prejudice.
2. Reason(s) ex parte relief is necessary: With reference to the Points and Authorities submitted.
3. Name of opposing parties (or attorneys): Probuild Company LLC, Matthew B. Golper
4. Was notice of the ex parte application given to the opposing parties? ☒ Yes ☐ No
5. ☒ **NOTICE GIVEN:** The opposing parties were notified of the relief request and that the ex parte application would be heard by the court on (date) 12/07/2023, at (time) 8:30 ☒ a.m. ☐ p.m., as indicated below:
 - a. Notice was given to the ☒ attorney for the ☐ plaintiff/petitioner ☒ defendant/respondent.
 - b. Notification occurred on (date): 12.06.2023, at (time) 10:30 ☒ a.m. ☐ p.m.
 - c. Manner of notification:

☐ By telephone. Name of the person you spoke to: _____
☐ By letter ☐ mailed ☐ personally delivered on (date) _____, at (time) _____ ☐ a.m. ☐ p.m.
☐ By fax (specify fax number) _____, which I know to be the fax number of the person served.
☒ Other manner of notification (specify): email
 - d. Response to notice: It was agreed in advance Plaintiff would bring motion.

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- ☐ **NOTICE NOT GIVEN:** Notice of the application was not given for the reason(s) indicated below:
- ☐ Notice of the ex parte application would frustrate the purpose of the order sought for the following reason(s):

- ☐ Applicant would suffer immediate and irreparable harm before the matter can be heard on notice. (*explain in detail the nature of the immediate and irreparable harm*): _____

- ☐ A reasonable and good faith effort to notify the opposing party was made but notification was unsuccessful. (*describe in detail attempts made*): _____

6. Have you appeared ex parte before for the same relief? ☐ Yes ☒ No. If yes, relief was ☐ granted ☐ denied
7. If required, have Points & Authorities been submitted? (*Cal. Rules of Court, rule 3.1202*) ☒ Yes ☐ No

I declare under penalty of perjury under the laws of the State of California that the above information and all attachments are true and correct.

Date: _____ Signature _____

ORDER

IT IS SO ORDERED.

☐ The requested relief is ☐ DENIED ☐ GRANTED as follows: _____

☐ Hearing is continued to _____ at _____ ☐ a.m. ☐ p.m. in dept. _____.

Date: _____ Judge/Commissioner of the Superior Court