

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: Greene vs. Asimi**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE****CASE NUMBER:**
30-2024-01377249-CU-OE-CXC

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 06/07/24, was transmitted electronically by an Orange County Superior Court email server on June 7, 2024, at 9:46:31 AM PDT. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

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Clerk of the Court, by: V. Harting, Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 06/07/2024

TIME: 09:07:00 AM

DEPT: CX104

JUDICIAL OFFICER PRESIDING: Melissa R. McCormick

CLERK: V. Harting

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: I. Olivares

CASE NO: **30-2024-01377249-CU-OE-CXC** CASE INIT.DATE: 02/01/2024

CASE TITLE: **Greene vs. Asimi**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 74313097

EVENT TYPE: Chambers Work

APPEARANCES

There are no appearances by any party.

The court has read and considered plaintiff David A. Greene's ex parte application for an order advancing the October 3, 2024 hearing on his motion for approval of a PAGA settlement. The ex parte application is denied.

A court will not grant ex parte relief in any but the plainest and most certain of cases. *People ex rel. Allstate Ins. Co. v. Suh* (2019) 37 Cal.App.5th 253, 257 (citation and quotation omitted). Substantively, an applicant must make an affirmative factual showing in a declaration containing competent testimony based on personal knowledge of irreparable harm, immediate danger, or other statutory basis for granting relief ex parte. *Newsom v. Superior Court* (2020) 51 Cal.App.5th 1093, 1097 (citing Cal. R. Ct. 3.1202(c)). A trial court should deny an ex parte application absent the requisite showing. *Newsom*, 51 Cal.App.5th at 1097.

The Santiago Declaration accompanying plaintiff's ex parte application does not address any alleged irreparable harm or immediate danger if plaintiff must wait until October 3, 2024 to have his motion heard. The application does not show good cause to advance plaintiff's motion ahead of the other motions, including several motions for approval of PAGA settlements, on the court's law and motion calendar. Plaintiff's motion remains scheduled for hearing on October 3, 2024 at 2:00 p.m. in Department CX104.

The ex parte hearing scheduled for June 10, 2024 at 1:30 p.m. in Department CX104 is vacated.

Clerk to give notice.