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by Superior Court of CA,
County of Santa Clara,
on 4/11/2022 3:47 PM
Reviewed By: A. Villanueva
Case #21CV386801
Envelope: 8722630

6 Attorneys for
7 KEVIN LLOYD

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF SANTA CLARA

14 KEVIN LLOYD,

15 Plaintiff,

16 vs.

17 GOOGLE, LLC, a limited liability
18 company, doing business as GOOGLE;
19 ADVANCED SYSTEMS GROUP, LLC, a
20 limited liability company, and DOES 1
21 through 20, inclusive,

20 Defendants.

CASE NO. 21CV386801

PLAINTIFF'S NOTICE OF MOTION FOR
SUMMARY ADJUDICATION OF THE
EMPLOYMENT ISSUE AGAINST GOOGLE,
LLC.

Motion Hearing Date: August 04, 2022

Time: 9:00 am

Place: Department 7

Judge: Christopher G. Rudy

Trial Date: TBD

Time: 9:00 am

23 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

24 PLEASE TAKE NOTICE that on August 04, 2022 at 9:00 AM, or as soon
25 thereafter as the matter may be heard, in Department 7 of the above-captioned court, located at 191
26 North First Street, San Jose, California 95113 (the Downtown Superior Court), Plaintiff KEVIN
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2 LLOYD will, and hereby does, move the Court for an order granting summary adjudication on
3 Google's Second Affirmative Defense, holding that Google is Plaintiff's employer.

4 The defense raised in the Second Affirmative Defense --- that Defendant Google "did not
5 employ Plaintiff" has no merit because Google does not possess and cannot reasonably obtain
6 evidence needed to support this defense. Code of Civil Procedure ("CCP") §437c(f)(1), see also:
7 *See's Candy Shops, Inc. v. Sup. Court (Silva)* (2012) 210 CA4th 889, 900.

8 This motion will be made on the ground there is no triable issue of material fact requiring
9 trial or preventing summary adjudication of this issue. This motion will be based Code of Civil
10 Procedure §437c; this notice; Plaintiff's Memorandum of Points and Authorities in Support;
11 Plaintiff's Separate Statement of Undisputed Facts; the Declaration of M. Catherine Jones; and the
12 Declaration of Kevin Lloyd, all of which are filed concurrently herewith, and such other oral and
13 documentary evidence that may be submitted at the hearing.
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16 Date: April 7, 2022.

Law Office of M. Catherine Jones

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18 by: M. Catherine Jones,
19 Attorneys for Plaintiff

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PROOF OF SERVICE

Kevin Lloyd vs. Google, LLC & ASG, LLC
Santa Clara County Superior Court Case No. 21CV386801

I am a citizen of the United States, and a resident of the State of California. I am over the age of eighteen years, and not a party to the within action. My business mailing address is Post Office Box 1128 in Nevada City, California, 95959. On April 11, 2022, I served the NOTICE OF MOTION FOR SUMMARY ADJUDICATION OF THE EMPLOYMENT ISSUE on the interested parties in said action by sending as an email attachment to the following email addresses:

- khuibonhoa@chllp.com
- psherman@chllp.com
- lmononey@grsm.com
- adarbinian@grsm.com

I certify that the foregoing is true and correct. Executed in Nevada City, California on April 11, 2022.

M. Catherine Jones