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8 SUPERIOR COURT OF CALIFORNIA  
9 COUNTY OF LOS ANGELES - EAST JUDICIAL DISTRICT

10 GRETA TIEN L. CHOA,  
11 Plaintiff,

12 vs.

13 FAIRCOM INC., a corporation, DBA  
14 UNITED TECHNOLOGY, JAMES YUAN,  
15 FANNY YUAN, and Does 1 to 10,  
Inclusive,

16 Defendants.

17 FAIRCOM INC., a corporation, DBA  
18 UNITED TECHNOLOGY,

19 Cross-Complainant,

20 vs.

21 GRETA TIEN L. CHOA; and ROES 1  
through 100, inclusive,

22 Cross-Defendants.

CASE NO. KC032586

~~PROPOSED~~ JUDGMENT

COMPLAINT FILED: 2/25/00

23  
24 Defendants Faircom, Inc. dba United Technology, James Yuan and  
25 Fanny Yuan filed their motion for summary judgment or alternatively for  
26 summary adjudication of issues against plaintiff Greta Tien L. Choa on  
27 the Complaint filed in this action.

28 ///

1 Said motion came on regularly for hearing on November 9, 2000, at  
2 8:30 a.m., in Department "L" of this above-entitled Court, the Honorable  
3 Theodore D. Piatt, Judge presiding. At said hearing, the Court, after  
4 issuing a tentative ruling to grant the motion in part and deny the  
5 motion part, received argument of counsel, and took the matter under  
6 submission.

7 Thereafter, the Court, based on argument of counsel, and after  
8 having reviewed the moving and opposing papers, ordered and gave due  
9 notice of a re-hearing which came on regularly on December 12, 2000, at  
10 8:30 a.m., in Department "L" of this above-entitled Court, the Honorable  
11 Theodore D. Piatt, Judge presiding. At said hearing, the Court  
12 announced a revised tentative ruling to grant the motion for summary,  
13 but permitted the parties to file supplemental briefing of law regarding  
14 the limited issue of whether plaintiff was an at-will employee given her  
15 admission in her deposition testimony and based on her written  
16 employment agreement. Said supplemental briefing was due on January 10,  
17 2001 from plaintiff, and on January 17, 2001 from defendants.

18 At said hearing, and without objections thereto, the Court further  
19 ordered that the motion shall remain submitted with the Honorable  
20 Theodore D. Piatt for a ruling despite the fact that this action may and  
21 would be re-assigned to another Judge in another Department for all  
22 purposes.

23 After having received and reviewed said supplemental briefing from  
24 the parties, the Court on January 23, 2001 issued a Minute Order  
25 granting defendants' motion for summary judgment on the Complaint.

26 For each of the above-referenced hearings, the appearances of  
27 counsel were: Mark H. Cheung, Esq., appeared on behalf of defendants  
28 Faircom, Inc. dba United Technology, James Yuan and Fanny Yuan, the

1 moving parties. Stephen R. Diamond, Esq., appeared on behalf of  
2 plaintiff Greta Tien L. Choa, the responding party.

3 IT IS HEREBY ADJUDGED, ORDERED AND DECREED that plaintiff, Greta  
4 Tien L. Choa, shall recover nothing on her complaint.

5 IT IS FURTHER ADJUDGED, ORDERED AND DECREED that defendants/cross-  
6 complainants Faircom, Inc. dba United Technology, James Yuan and Fanny  
7 Yuan are the prevailing parties who shall have and recover from Greta  
8 Tien L. Choa costs in the amount of \$ 1526.30 pursuant to a  
9 Memorandum of Costs which said defendants/cross-complainants may  
10 hereinafter file.

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12 Dated:

**Peter J. Meeka, Judge**

~~Theodore D. Piatt~~  
Judge of the Superior Court

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1 PROOF OF SERVICE  
2 1013A(3) CCP Revised 5/1/88

3 STATE OF CALIFORNIA, COUNTY OF ORANGE

4 I am employed in the County of Orange, State of California. I am over the age  
5 of 18 and not a party to the within action; my business address is 7700 Irvine Center  
6 Drive, Suite 710, IRVINE, CA 92618-3043.

7 On February 7, 2001, I served the foregoing document(s) described as:

8 [PROPOSED] JUDGMENT

9 on all interested parties in this action

10 [ ] by placing true copies thereof enclosed in sealed envelopes addressed as stated  
11 on the attached mailing list:

12 [X] by placing [ ] the original [X] a true copy thereof enclosed in sealed envelopes  
13 addressed as follows:

14 Charles T. Mathews, Esq.  
15 LAW OFFICES OF CHARLES T. MATHEWS  
16 501 South Marengo Avenue  
17 Pasadena, CA 91101

18 Atty for Plaintiff Greta Tien L. Choa

19 [ ] BY FACSIMILE TO: ( ) - (CRC 2008)

20 [x] BY MAIL

21 [ ] \*I deposited such envelope in the mail at Irvine, California.  
22 The envelope was mailed with postage thereon fully prepaid.

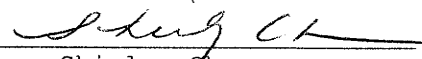
23 [x] As follows: I am readily familiar with the firm's practice of collection  
24 and processing correspondence for mailing. Under that practice it would be deposited  
25 with U.S. postal service on that same day with postage thereon fully prepaid at Irvine,  
26 California in the ordinary course of business. I am aware that on motion of the party  
27 served, service is presumed invalid if postal cancellation date or postage meter date  
28 is more than one day after date of deposit for mailing in affidavit.

Executed on February 7, 2001, at Irvine, California.

[ ] \*\* (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices  
of the addressee. (C.C.P. 1011)

[X] (State) I declare under penalty of perjury under the laws of the State of  
California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of  
this court at whose direction the service was made.

24   
25 Shirley Chen