

OCT 06 2003

ALAN SLATER, Clerk of the Court

*McLott*  
BY M. LETT

ORANGE COUNTY SUPERIOR COURT  
**RECEIVED**  
BUT NOT FILED  
SEP 15 2003  
ALAN SLATER, Executive Officer/Clerk  
By \_\_\_\_\_ DEPUTY

1 Charles C.H. Wu, SBN 166756  
2 Mark H. Cheung, SBN 150690  
3 Carolyn N. Ko, SBN 223540  
4 **WU & CHEUNG, LLP**  
5 7700 Irvine Center Drive, Suite 710  
6 Irvine, California 92618-3043  
7 (949) 251-0111  
8  
9 Attorneys for Defendant  
10 SMART ELECTRONICS AND ASSEMBLY, INC.

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF ORANGE - CENTRAL JUSTICE CENTER  
10 UNLIMITED JURISDICTION

11 LEE PYSDEN, an individual,  
12 Plaintiff,  
13 vs.

14 SMART ELECTRONICS AND ASSEMBLY,  
15 INC., a California corporation,  
16 and DOES 1 through 20,  
17 inclusive,  
18 Defendants.

CASE NO. 02 CC 16504

[Assigned to Judge Johnston,  
Dept C-29]

**[PROPOSED] SUMMARY JUDGMENT  
UNDER C.C.P. § 437C**

DATE: Sept. 12, 2003  
TIME: 9:00 a.m.  
DEPT: C-29

19 The Court, having on September 12, 2003 issued a ruling to grant  
20 the motion for summary judgment by defendant Smart Electronics and  
21 Assembly, Inc., and having issued a formal Order thereon on or about  
22 even date herewith ordering the entry of judgment as requested in said  
23 motion,

24 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

25 Plaintiff Lee Pysden shall take nothing in this action, and  
26 defendant Smart Electronics and Assembly, Inc. shall recover from said  
27 plaintiff Lee Pysden costs of suit in the sum of \$ 503.80 to  
28 be determined by motion and/or a Memorandum of Costs that said defendant

1 may hereinafter submit.

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3 Dated:

**OCT 06 2003**

**GERALD JOHNSTON**

Hon. Gerald G. Johnston  
Judge of the Superior Court

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1 PROOF 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 a  
of 18 and not a party to the within action; my business address is 7700 Irvine Cent  
5 Drive, Suite 710, Irvine, CA 92618-3043.

6 On September 15, 2003, I served the foregoing document(s) described as:

7 **[PROPOSED] SUMMARY JUDGMENT UNDER C.C.P. § 437C**

8 on all interested parties in this action

9 [ ] by placing true copies thereof enclosed in sealed envelopes addressed as state  
on the attached mailing list:

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

11 Donald R. Price, Esq.  
12 Price, Crooke & Gary  
10 Corporate Park, Suite 300  
13 Irvine, CA 92606

14 [X] BY MAIL

[ ] I deposited such envelope in the mail at Irvine, California.

15 The envelope was mailed with postage thereon fully prepaid.

16 [X] As follows: I am readily familiar with the firm's practice of collectio  
and processing correspondence for mailing. Under that practice it would be deposite  
17 with U.S. postal service on that same day with postage thereon fully prepaid a  
Irvine, California in the ordinary course of business. I am aware that on motion o  
the party served, service is presumed invalid if postal cancellation date or postag  
18 meter date is more than one day after date of deposit for mailing in affidavit.

19 Executed on September 15, 2003, at Irvine, California.

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

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

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

25  
26   
Mary Kim