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**Electronically Filed
by Superior Court of CA,
County of Santa Clara,
on 3/8/2019 4:37 PM
Reviewed By: R. Walker
Case #17CV311757
Envelope: 2607078**

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HCA HOLDINGS, INC., SAN JOSE, LLC, and
11 HCA HEALTHCARE, INC.

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF SANTA CLARA

14
15 ZURI LAZARD, on behalf of herself and all
others similarly situated,

16 Plaintiff,

17 v.

18 HCA HOLDINGS, INC., a Delaware
19 Corporation; SAN JOSE, LLC, a Delaware
Limited Liability Corporation; and DOES 1
20 through 10, inclusive,

21 Defendants.

CASE NO. 17-CIV-311757

**DEFENDANTS HCA HOLDINGS, INC.'S,
SAN JOSE, LLC'S, AND HCA
HEALTHCARE, INC'S NOTICE OF
MOTION AND MOTION FOR JUDGMENT
ON THE PLEADINGS; MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT
THEREOF**

Date: May 3, 2019
Time: 9 a.m.
Place: Department 5

Assigned To: Hon. Thomas E. Kuhnle
Action Filed: June 13, 2017
Trial Date: None Set

*[Defendants' Request for Judicial Notice In
Support of Motion for Judgment on the
Pleadings; Declaration of Christina P. Teeter;
Appendix of Non-California Authorities, and
[Proposed] Order filed concurrently herewith]*

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1 **NOTICE OF MOTION**

2 **PLEASE TAKE NOTICE** that on May 3, 2019 at 9:00 a.m., or as soon thereafter as the
3 matter may be heard, before the Honorable Thomas E. Kuhnle of the California Superior Court
4 for the County of Santa Clara, Department 5, located at 191 North 1st Street, San Jose,
5 California, 95113, Defendants HCA Holdings, Inc., San Jose, LLC, and HCA Healthcare, Inc.
6 (collectively "Defendants") will, and hereby do, move pursuant to California Code of Civil
7 Procedure section 438 for partial judgment on the pleadings in favor of Defendants with respect
8 to the Sixth Cause of Action alleged in Plaintiff Zuri Lazard's Third Amended Complaint
9 ("TAC").

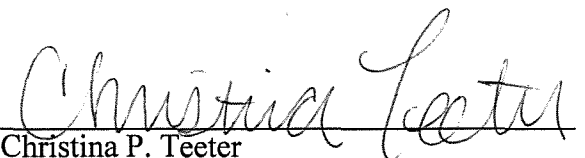
10 Defendants' Motion for Judgment on the Pleadings (the "Motion") is made on the
11 grounds that Plaintiff's TAC fails to state facts sufficient to demonstrate her Sixth Cause of
12 Action for civil penalties pursuant to the Private Attorneys General Act ("PAGA"), Cal. Lab.
13 Code § 2698, *et seq.*, is manageable as a representative claim. Accordingly, Defendants
14 respectfully request that the Sixth Cause of Action be dismissed without leave to amend.

15 The Motion is based on this Notice of Motion, the supporting Memorandum of Points
16 and Authorities, the Declaration of Christina P. Teeter in support of Defendants' Motion for
17 Judgment on the Pleadings, the Request for Judicial Notice in support of Defendants' Motion for
18 Judgment on the Pleadings, the Appendix of Non-California Authorities, and the [Proposed]
19 Order, which have been filed concurrently herewith, all the papers, documents and pleadings on
20 file in this case, and such other oral or documentary evidence as may be presented in this matter.

21 Dated: March 8, 2019

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Linda M. Inscoc
Amy E. Hargreaves
Christina P. Teeter

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25 By



Christina P. Teeter
Attorneys for Defendants
HCA HOLDINGS, INC., SAN JOSE LLC,
and HCA HEALTHCARE, INC.

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