

AUG 17 2016

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

11 MICHELLE LYON,
12
13 Plaintiff,

14 v.

15 VELOCITY SPORTS PERFORMANCE
a/k/a VELOCITY SPORTS CLUB;
16 VELOCITY SPORTS PERFORMANCE
OF REDONDO BEACH, LLC; DAVID
17 WATERS; DAVID WATERS FITNESS
TRAINING, LLC and DOES 1 through
18 100, Inclusive,

19 Defendants.

Case No. BC542700

**PLAINTIFF'S OPPOSITION TO
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT;
PLAINTIFF'S REQUEST UNDER
C.C.P. §128.5 FOR SANCTIONS
INCLUDING REASONABLE
EXPENSES AND ATTORNEYS FEES
AGAINST DEFENDANTS AND THEIR
COUNSEL; MEMORANDUM OF
POINTS AND AUTHORITIES;**

Filed Concurrently with PLAINTIFF'S
OPPOSITION TO DEFENDANTS'
SEPARATE STATEMENT OF
UNDISPUTED MATERIAL FACTS AND
PLAINTIFF'S SEPARATE STATEMENT
OF UNDISPUTED MATERIAL FACTS;
PLAINTIFF'S EVIDENCE IN
OPPOSITION TO DEFENDANTS' MSJ/
MSA; PLAINTIFF'S EVIDENTIARY
OBJECTIONS; [PROPOSED] ORDER
RE: PLAINTIFF'S EVIDENTIARY
OBJECTIONS; [PROPOSED] ORDER RE
SANCTIONS

25 Date: August 31, 2016
26 Time: 1:30 p.m.
27 Dept.: 92

28 The Hon. Elia Weinbach, Dept. 92
Action Filed: April 15, 2014
Trial Date: February 16, 2016

1 PLAINTIFF'S REQUEST FOR MONETARY SANCTIONS

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3 TO: DEFENDANTS AND THEIR COUNSEL OF RECORD:

4 You are hereby notified that Plaintiff requests an award of sanctions, pursuant to
5 Code of Civil Procedure section 128.5, to be awarded jointly and severally against each
6 defendants and their counsel, Anthony J. Ellrod, Karen Liao and the firm of Manning &
7 Kass, Elrod, Ramirez, Treister LLP. More specifically Plaintiff requests that sanctions be
8 awarded equivalent to the reasonable expenses, including attorney's fees, incurred by
9 Plaintiff and her counsel as a result of defendants' filing and pursuance of their totally and
10 completely without merit motion for summary judgement.

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12 DATED: August 16, 2016

BIREN LAW GROUP



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15 By: _____

16 MATTHEW B.F. BIREN
17 Attorneys for Plaintiff MICHELLE LYON
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