

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL

MINUTE ORDER

DATE: 01/25/2019

TIME: 01:30:00 PM

DEPT: C-72

JUDICIAL OFFICER PRESIDING: Timothy Taylor

CLERK: Yvette Terronez

REPORTER/ERM: not reported

BAILIFF/COURT ATTENDANT: A. Tenorio

CASE NO: **37-2018-00028044-CU-OE-CTL** CASE INIT.DATE: 05/31/2018

CASE TITLE: **ROE vs Deja Vu Services Inc [EFILE]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT TYPE: Motion Hearing (Civil)

MOVING PARTY: Jane Roe 2, Jane Roe 1

CAUSAL DOCUMENT/DATE FILED: Motion to Appear Pro Hac Vice, 11/29/2018

APPEARANCES

Megan Bonnani, counsel, present for Plaintiff(s) telephonically.

The Court confirms the tentative ruling as follows:

Ruling on *Pro Hac Vice* Motion

Roes v. Deja Vu, Case No. 2018-28044

January 25, 2019, 1:30 p.m., Dept. 72

1. Overview and Procedural Posture.

This is an employment action brought on behalf of a class of exotic nude dancers at the defendant topless bars throughout California. Plaintiffs assert they were misclassified as independent contractors instead of employees, and that consequently defendants have violated the applicable wage and hour laws. The eight count complaint was filed in May of 2018.

The court incorporates the minutes for November 30 and December 27, 2018 (ROA 105 and 115). On those dates, the court denied a motion for preliminary approval of a class action settlement, and granted a motion for leave to file a complaint in intervention. The court also incorporates the minutes for January 18, 2019. On that date, the court denied defendants' motion to compel arbitration. The case is set for hearing on class certification next fall. ROA 104.

Presently, Megan Bonanni seeks leave to appear *pro hac vice* for plaintiffs. ROA 51, 107-109. The motion is unopposed. Previously, after initially expressing misgivings (ROA 36), the court allowed Mr. Thompson to appear *pro hac vice* for plaintiffs. ROA 43.

2. Applicable Standards for *Pro Hac Vice* Applications.

Pro hac vice applications are governed by CRC 9.40. The court has discretion to grant the application. Admission in this fashion may help avoid problems such as those encountered by the attorneys in *Birbrower v. Superior Court* (1998) 17 Cal. 4th 119. It has been suggested that "the Court should interfere as little as possible with a party's desire to defend itself with counsel of its choice." *Magee v. Superior Court* (1973) 8 Cal.3d 949, 952-953.

3. Ruling.

The *pro hac vice* motion is granted.

IT IS SO ORDERED.



Judge Timothy Taylor