

MANATT, PHELPS & PHILLIPS, LLP
BARRY S. LANDSBERG (Bar No. CA 117284)
HARVEY L. ROCHMAN (Bar No. CA 162751)
CRAIG S. RUTENBERG (Bar No. CA 205309)
11355 West Olympic Boulevard
Los Angeles, CA 90064-1614
Telephone: (310) 312-4000
Facsimile: (310) 312-4224

Attorneys for Defendant
DIGNITY HEALTH including dba
MERCY SAN JUAN
MEDICAL CENTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

EVAN MINTON,

Plaintiff,

vs.

DIGNITY HEALTH; DIGNITY HEALTH
d/b/a MERCY SAN JUAN MEDICAL
CENTER,

Defendants.

Case No. CGC 17-558259

DEFENDANT DIGNITY HEALTH'S
NOTICE OF DEMURRER TO VERIFIED
COMPLAINT

[Filed concurrently with (1) Demurrers; (3)
Memorandum of Points and Authorities; (4)
Request for Judicial Notice; (5) Declaration of
Craig S. Rutenberg]

Date: July 26, 2017
Time: 9:30 a.m.
Dept.: 302

Hearing Reservation No. 07030726-08

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on July 26, 2017 at 9:30 a.m., or as soon thereafter as the
3 matter may be heard in Department 302 of the Superior Court of San Francisco County, located at
4 400 McAllister Street, San Francisco, California 94102, defendant Dignity Health doing business
5 as Mercy San Juan Medical Center will and hereby does demur to plaintiff Evan Minton's
6 Verified Complaint pursuant to Code of Civil Procedure section 430.10(e).

7 The demurrers are made on the ground that the single cause of action alleged in the
8 complaint fails to state a claim upon which relief may be granted.

9 Pursuant to Code of Civil Procedure section 430.41(a), counsel for Dignity Health met
10 and conferred with counsel for Plaintiff. They were unable to resolve any of the objections raised
11 in the demurrers. (Declaration of Craig S. Rutenberg.)

12 The demurrers are and will be based on this Notice, the accompanying Memorandum of
13 Points and Authorities, the Request for Judicial Notice filed herewith, the concurrently filed
14 motion to strike, all pleadings and papers on file in this action, and such argument and additional
15 evidence as may be submitted to the Court at or prior to the hearing.

16 Dated: July 3, 2017

MANATT, PHELPS & PHILLIPS, LLP

17
18 By: 

19 Harvey L. Rochman
20 Attorneys for Defendant
21 DIGNITY HEALTH
22
23
24
25
26
27
28