

IN THE
SUPREME COURT OF CALIFORNIA

GEORGE MELENDEZ, et al.,
Plaintiffs and Appellants,

v.

SAN FRANCISCO BASEBALL ASSOCIATES, LLC
Defendant and Respondent.

COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION 3
CASE NO. A149482
SAN FRANCISCO SUPERIOR COURT, No. CGC-13-530672
HONORABLE CURTIS E.A. KARNOW

NOTICE OF ERRATA IN OPENING BRIEF ON THE MERITS

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GEORGE MELENDEZ, et al.

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CLERK SUPREME COURT

**TO THE HONORABLE TANI CANTIL-SAKAUYE,
CHIEF JUSTICE AND THE HONORABLE ASSOCIATE
JUSTICES OF THE SUPREME COURT OF CALIFORNIA:**

Appellants George Melendez et al., hereby provide Notice of Errata and corrections as follows:

On April 12, 2018 Appellant's Opening Brief on the Merits was filed.

Upon review of the Brief after filing, it was noted that there was an omission in the Table of Contents, an omission of a Statute cite in footnote 6 on page 29, and a sentence on page 43-44 that had an extra word that confused the intended meaning.

1. Errata: Page 2 of the Table of Contents omits section C.4.

Correction: Add to Page 2 the title to Section C.4:

“Precedent Similarly Treats “Layoffs” as Including the Intermittent Separations from Ongoing Employment at Issue Here.”

2. Errata: Page 29 footnote 6 begins:

The California Unemployment Ins. Code provides in relevant part...

Correction: The California Unemployment Ins. Code at § 1252 provides in relevant part...

3. Errata: Bottom of Page 33 to Page 34 currently reads:

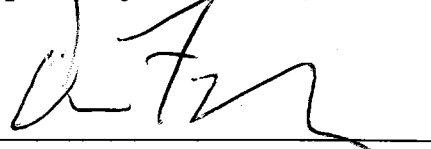
There is no need to interpret the Collective Bargaining Agreement because none of its terms are in dispute, and since the “end of an assignment” or “completion of a period of service”, like those that occur at the end of a home stand, baseball season or off-season events constitute, as *Smith* holds, are “discharges” under Labor Code § 201. *Lujan, supra* (2002) 96 CA 4th 1200, 1206-1207, 1210 and *Sciborski, supra* (2012) 205 CA4th 1152, 1168-1174

Correction: Changing “since” to “because” and deleting “are”:

There is no need to interpret the Collective Bargaining Agreement because none of its terms are in dispute, and because the “end of an assignment” or “completion of a period of service”, like those that occur at the end of a home stand, baseball season or off-season events constitute, as *Smith* holds, “discharges” under Labor Code § 201. *Lujan, supra* (2002) 96 CA 4th 1200, 1206-1207, 1210 and *Sciborski, supra* (2012) 205 CA4th 1152, 1168-1174

Dated: April 16, 2018

Respectfully Submitted,



DENNIS F. MOSS
Attorney for Respondent
GEORGE MELENDEZ

PROOF OF SERVICE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of Los Angeles, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 15300 Ventura Boulevard, Suite 207, Sherman Oaks, California 91403.
2. That on April 16, 2018 declarant served the **NOTICE OF ERRATA IN APPELLANT'S OPENING BRIEF ON THE MERITS** via True Filing and by depositing a true copy thereof in a United States mail box at Sherman Oaks, California in a sealed envelope with postage fully prepaid and addressed to the parties listed on the attached service list.
3. That there is regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th day of April 2018 at Sherman Oaks, California.



By: Lea Garbe

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