

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

COURT OF APPEAL – SECOND DIST.

FILED

Sep 01, 2021

DANIEL P. POTTER, Clerk

Will Lopez Deputy Clerk

MING-CHAO HUANG et al.,

Petitioners,

v.

SUPERIOR COURT OF LOS  
ANGELES COUNTY,

Respondent;

MICHAEL VELCHEREAN, aka  
REMUS VELCHEREAN,

Real Party in Interest.

B313785

(Los Angeles County  
Super. Ct. No. 18STPB11082)  
(Michael C. Small, J.)

ALTERNATIVE WRIT OF  
MANDATE; ORDER

TO THE SUPERIOR COURT OF LOS ANGELES COUNTY:

GOOD CAUSE appearing, you are hereby ordered either to:

(a) after notice to the parties and an opportunity to be heard pursuant to *Brown, Winfield & Canzoneri, Inc. v. Superior Court* (2010) 47 Cal.4th 1233, 1250, fn. 10, vacate in part the May 26, 2021 order, denying petitioners' motion to deem admitted petitioners' fourth set of requests for admissions (Nos. 94-114); or

(b) in the alternative,

SHOW CAUSE before this court in its courtroom at 300 South Spring Street, Los Angeles, California, on November 10, 2021, at 9:00 a.m., why a peremptory writ of mandate should not issue on the ground that petitioners have demonstrated that they are entitled to have their fourth set

of requests for admissions deemed admitted because, before the hearing on the motion, real party in interest did not file a proposed response to the requests for admission in substantial compliance with Code of Civil Procedure section 2033.220, as established by section 2033.280, subdivision (c). (See *St. Mary v. Superior Court* (2014) 223 Cal.App.4th 762, 774-778, 783-784.)

Any written return shall be served and filed on or before September 15, 2021.

Petitioners may file a reply on or before September 29, 2021.

In the event that respondent court complies with alternative (a) of this writ at any time prior to November 10, 2021, petitioners shall immediately so advise this court by letter and file a certified copy of the order constituting such compliance.

By order of this court,

ATTEST my hand and the seal of this court this 1st day of September 2021.



DANIEL P. POTTER,  
Clerk

Deputy Clerk

**ORDER**

Let the foregoing writ issue.

\* MANELLA, P.J.

WILLHITE, J.

CURREY, J.