

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
CENTRAL**

MINUTE ORDER

DATE: 09/19/2023

TIME: 08:00:00 AM

DEPT: C-73

JUDICIAL OFFICER PRESIDING: Joel R. Wohlfeil

CLERK: Richard Day

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT:

CASE NO: **37-2021-00023321-CU-MC-CTL** CASE INIT.DATE: 05/26/2021

CASE TITLE: **Mata vs. Digital Recognition Network Inc [E-FILE]**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Misc Complaints - Other

APPEARANCES

The Court, having taken the above-entitled matter under submission on 09/15/2023 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

After entertaining the arguments of counsel and taking the matter under submission, the Court confirms the tentative ruling (ROA # 105) to GRANT the Motion (ROA # 69) of Plaintiff Guillermo Mata ("Plaintiff") for an order for Class Certification. The discussion that follows is intended to supplement the tentative (now confirmed) ruling, but does not supersede it.

During the hearing, defense counsel argued that the ruling fails to address the standing issue. Defendant's opposition brief states: "By his own admission, Plaintiff Guillermo Mata has not suffered any harm but instead alleges that the mere collection of his ALPR data constitutes harm to him. This is not 'harm' under the statute and therefore Plaintiff lacks standing to proceed on his claim." Opposition Brief at page 6, lines 19 - 22.

As stated in the ruling, whether Plaintiff or any other class member sustained "harm" as defined by the applicable statutory scheme, is a common issue such that class certification is proper. This issue has been addressed by the Court.

IT IS SO ORDERED.



Judge Joel R. Wohlfeil