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6 Attorneys for Defendants, CITY OF SAN JOSE

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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN JOSE DIVISION

11  
 12 CHIN-LI MOU,

13 Plaintiff,

14 v.

15 CITY OF SAN JOSE, SAN JOSE PUBLIC  
 16 LIBRARY EDUCATION PARK BRANCH,  
 and DOES, inclusive,

17 Defendants.

Case Number: C07-05740 JF

**DEFENDANT'S RESPONSE TO  
 PLAINTIFF'S COMMUNICATION TO  
 THE COURT**

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 20 This pleading is being provided pursuant to the court's recent order dated April 26,  
 21 2010. As a continuing and never ending attempt to escape responsibility, Plaintiff Mou has  
 22 again communicated unilaterally with the court and apparently providing the court "a copy  
 23 of her 2009 federal income tax return" in an attempt to again argue that she is too indigent  
 24 to repay the taxpayers of Defendant City of San Jose the costs of her pursuing her claim. I  
 25 would request the court to review the initial complaint and its alleged allegations to  
 26 understand the reason for Defendant strongly objecting to any reduction of the taxed costs  
 27 which truly represent a minimal amount of accountability.

28 DEFENDANT'S RESPONSE TO PLAINTIFF'S COMMUNICATION TO THE COURT

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1 As a practical matter, Defendant City of San Jose has not had an opportunity to  
2 review the documents submitted to the court because Ms. Mou chose not to share those  
3 documents with Defendant. If the court is even remotely reconsidering its position on Ms.  
4 Mou's accountability for the taxed costs, Defendant would first request that they be  
5 provided a copy of the income tax return and also be allowed a debtor's deposition  
6 examination (under oath) of Ms. Mou. After such examination, Defendants would be in a  
7 better position to argue Plaintiff's alleged financial inability to pay over time the minimal  
8 amount of \$1,029.90. As previously stated, public records indicate, at a minimum, Plaintiff  
9 is owner of real property within the County of Santa Clara valued at approximately  
10 \$250,000. Ms. Mou has expressly attempted to manipulate police officers, library staff and  
11 counsel for Defendant in this matter. A further examination of Ms. Mou's current claim of  
12 indigency certainly merits further examination as requested by Defendant.

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15 Respectfully submitted,  
16 RICHARD DOYLE, City Attorney

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18 Dated: May 5, 2010

19 By: \_\_\_\_\_/S/\_\_\_\_\_  
20 ROBERT BURCHFIEL  
21 Sr. Deputy City Attorney

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28 Attorneys for CITY OF SAN JOSE

