Lucy H. Koh

United States District Court, California Northern

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Judicial Experience

2010 - Present — Judge
United States District Court, California Northern
Appointed by President Barack Obama

2008 - 2010 — Judge
California Superior Court, Santa Clara County
Appointed by Governor Arnold Schwarzenegger

Experience as an Attorney

Wilson Sonsini Goodrich & Rosati Professional Corporation

McDermott Will & Emery LLP

Education

1993 — Harvard Law School
Doctor of Jurisprudence

1990 — Harvard University
Bachelor of Arts
Magna Cum Laude

Contact

Website	http://www.cand.uscourts.gov http://www.cand.uscourts.gov/lhk
Phone	408-535-5346
Email	lhkcrd@cand.uscourts.gov

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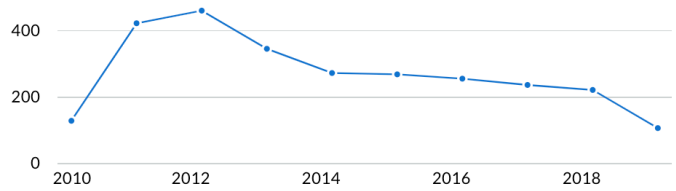

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Lucy H. Koh

United States District Court, California Northern

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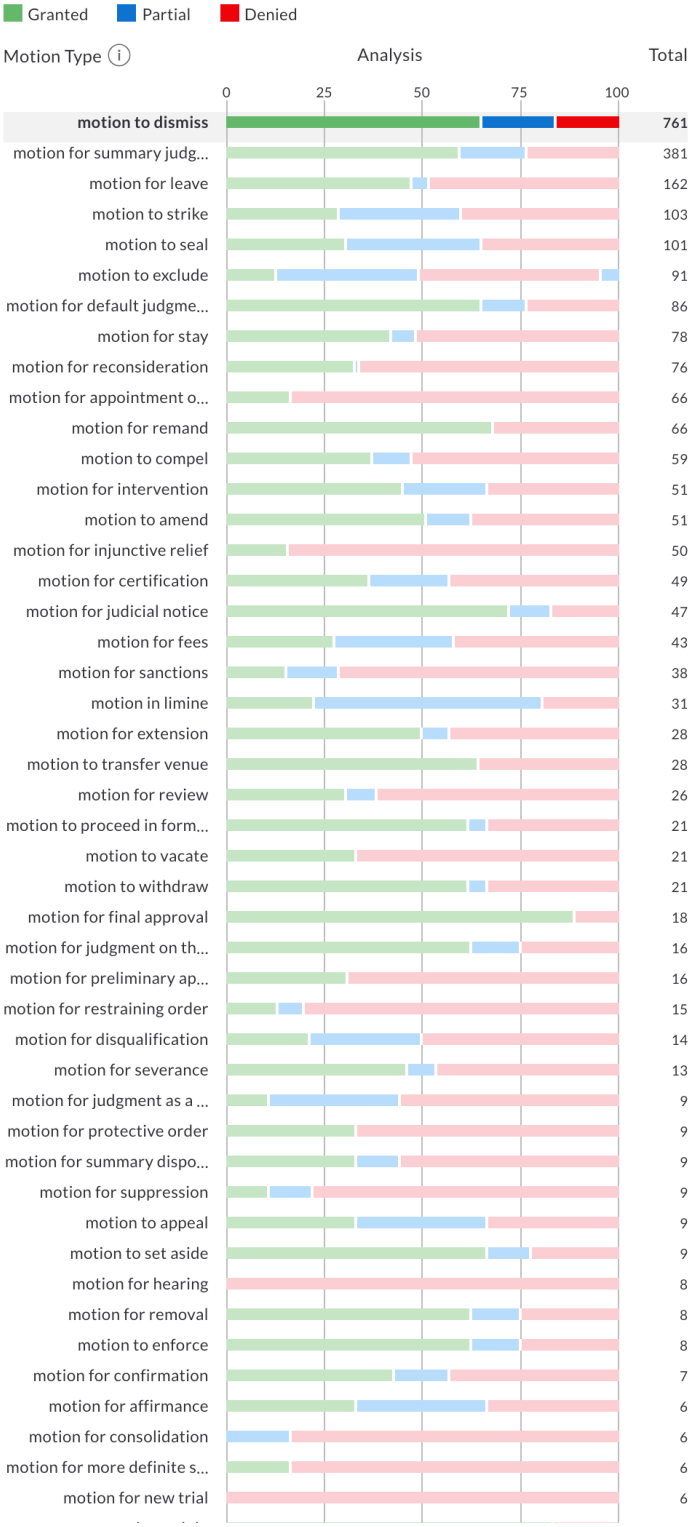

688 cases where Lucy H. Koh ruled on a motion to dismiss

1. **Dela Cruz v. Select Portfolio Servicing, Inc.**
United States District Court, California Northern | May 30, 2019 | 2019 U.S. Dist. LEXIS 90941

Motions
motion for judicial notice ✓ granted
motion to dismiss ✓ granted

Decision Language
Thus, SPS Defendants' request for judicial notice is GRANTED. ... Thus, the Court DENIES Chase Defendants' motion to dismiss Jamie Dimon d/b/a Chase Services on res judicata grounds. ... Therefore, the Court GRANTS Chase Defendants and SPS Defendants' motion to dismiss Plaintiffs' injunctive relief claim, which is Plaintiffs' first cause of action.

2. **Carmona v. Bolanos**
United States District Court, California Northern | May 23, 2019 | 2019 U.S. Dist. LEXIS 88207

Motions
motion to dismiss ✓ granted

Decision Language
The Court GRANTS the motion to dismiss with prejudice with respect to...

3. **Life Savers Concepts Ass'n v. Wynar**
United States District Court, California Northern | May 16, 2019 | 2019 U.S. Dist. LEXIS 83186

Motions
motion to dismiss ⊖ partial

Decision Language
Therefore, the Court DENIES without prejudice Defendants' motion to dismiss Raquel's Fourth Amendment Bivens claim based on qualified immunity.

4. **Song v. Drenberg**
United States District Court, California Northern | May 6, 2019 | 2019 U.S. Dist. LEXIS 76433

Motions
motion to dismiss ✓ granted

Decision Language
For the foregoing reasons, the Court GRANTS Drenberg's motion to dismiss: the Computer Fraud and Abuse Act claim (count 2); the copyright infringement claim (count 4); and the tortious interference with prospective business relations claim (count 5).

5. **Alexandria Real Estate Equities, Inc. v. Runlabs (UK) Ltd.**
United States District Court, California Northern | May 1, 2019 | 2019 U.S. Dist. LEXIS 73889

Motions
motion to dismiss ✓ granted

Decision Language
For the foregoing reasons, the Court GRANTS Defendants' motion to dismiss without prejudice for lack of personal jurisdiction.

6. **Alta Devices, Inc. v. LG Elecs., Inc.**
United States District Court, California Northern | Apr 30, 2019 | 2019 U.S. Dist. LEXIS 72952

Motions
motion to dismiss ✓ granted

Lucy H. Koh

United States District Court, California Northern

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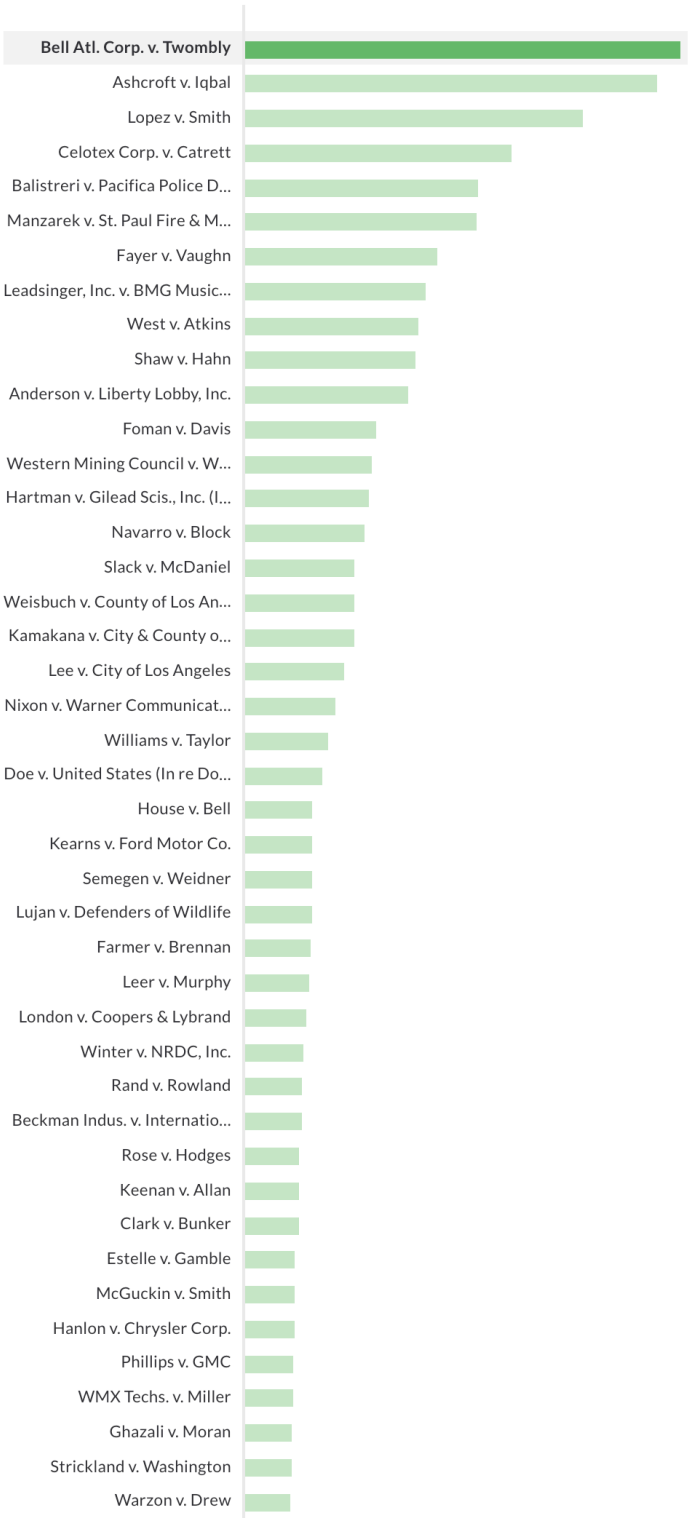

Lucy H. Koh citing Bell Atl. Corp. v. Twombly
Most common language

Citing Bell Atlantic Corp. Twombly in Ali v. Intel Corp.
United States District Court, California Northern | Mar 26, 2019

The U.S. Supreme Court has held that Rule 8(a) requires a plaintiff to plead "enough facts to state a claim to relief that is plausible on its face." Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007) .

More Like This

Citing Twombly in Creagri, Inc. v. Pinnaclife Inc.
United States District Court, California Northern | Jan 1, 2013
The AC says only that Pinnaclife "publishes and provides documents intending that persons including the manufacturers, sellers, resellers, distributors, users, and customers engage in direct infringement by their use of Pinnaclife's 'miracle Olivamine Essential." AC at ¶ 34. Although CreAgri need not provide a detailed description of the documents, CreAgri must provide enough information to give Pinnaclife "fair notice of what the ... claim is and the grounds upon which it rests." Iqbal, 556 U.S. at 698-99 , quoting Twombly, 550 U.S., at 555 (omission in original).

Citing Twombly in In re High-Tech Emple. Antitrust Litig.
United States District Court, California Northern | Apr 18, 2012
The Supreme Court has stated that a plaintiff must plead "'enough factual matter (taken as true) to suggest that an agreement was made. Asking for plausible grounds to infer an agreement does not impose a probability requirement at the pleading stage; it simply calls for enough facts to raise a reasonable expectation that discovery will reveal evidence of an illegal agreement . . . . An allegation of parallel conduct and a bare assertion of conspiracy will not suffice.'" Kendall v. Visa U.S.A., Inc., 518 F.3d 1042, 1047 (9th Cir. 2008) (quoting Twombly, 550 U.S. at 556-57).

Citing Twombly in In re High-Tech Emple. Antitrust Litig.
United States District Court, California Northern | Apr 18, 2012
The " factual allegations must be enough to raise a right to relief above the speculative level . . . ." Twombly, 550 U.S. at 544 .

Citing Twombly in In re High-Tech Emple. Antitrust Litig.
United States District Court, California Northern | Apr 18, 2012
Twombly, 127 S. Ct. at 1966 . To establish a conspiracy, the conspirators must have a unity of purpose or a common design and understanding.

Citing Twombly in Herskowitz v. Apple Inc.
United States District Court, California Northern | Apr 15, 2013
Ultimately, due to limited allegations contained in the FAC, the Court does not find that Herskowitz has sufficiently alleged facts that provide "more than a sheer possibility that [Apple] has acted unlawfully" for the reasons alleged. See Iqbal, 556 U.S. at 678 ; Twombly, 550 U.S. at 555 .

Citing Twombly in SriCom, Inc. v. eBisLogic, Inc.
United States District Court, California Northern | Sep 13, 2012
The third requirement is that Plaintiff must allege Defendant's breach. Here, SriCom has asserted that Asterix and ETP revealed "customer information, employee information, and pricing information." Id. at ¶ 51. However, the Complaint does not allege any facts concerning what specific information was revealed, when, how, or to whom it was revealed, or whether or how Asterix and ETP used this information. A complaint does not suffice "if it tenders "naked assertions " devoid of "further factual enhancement." Ashcroft v. Iqbal, 556 U.S. 662, 678, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (2009) (citing Twombly, 550 U.S. at 557). SriCom's allegations amount to a conclusory assertion that there has been a breach, with no factual support.

Citing Twombly in Castillo v. Countrywide Home Loans, Inc.
United States District Court, California Northern | Nov 12, 2010
First, Plaintiff's attempt to state a violation of TILA and HOEPA is simply too vague to

Context | Judge | Koh, Lucy H. (United States District Court, California Nort | Client: -None- | History | Help | More

Lucy H. Koh

United States District Court, California Northern

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1. Martinez v. America's Wholesale Lender, 2019 U.S. Dist. LEXIS 98836

United States District Court for the Northern District of California, San Jose Division | June 12, 2019 | 2019 U.S. Dist. LEXIS 98836

2. Beck v. Ford Motor Co., 2019 U.S. Dist. LEXIS 97049

United States District Court for the Northern District of California, San Jose Division | June 9, 2019 | 2019 U.S. Dist. LEXIS 97049

3. McAdams v. Ford Motor Co., 2019 U.S. Dist. LEXIS 95570

United States District Court for the Northern District of California, San Jose Division | June 5, 2019 | 2019 U.S. Dist. LEXIS 95570

4. Arroyo v. J.R. Simplot Co., 2019 U.S. Dist. LEXIS 92663

United States District Court for the Northern District of California, San Jose Division | June 3, 2019 | 2019 U.S. Dist. LEXIS 92663

5. Magadia v. Wal-Mart Assocs., 2019 U.S. Dist. LEXIS 91792

United States District Court for the Northern District of California, San Jose Division | May 31, 2019 | 2019 U.S. Dist. LEXIS 91792

6. Dela Cruz v. Select Portfolio Servicing, Inc., 2019 U.S. Dist. LEXIS 90941

United States District Court for the Northern District of California, San Jose Division | May 30, 2019 | 2019 U.S. Dist. LEXIS 90941

7. Nunez v. City of San Jose, 2019 U.S. Dist. LEXIS 87308

United States District Court for the Northern District of California, San Jose Division | May 23, 2019 | 2019 U.S. Dist. LEXIS 87308

8. Carmona v. Bolanos, 2019 U.S. Dist. LEXIS 88207

United States District Court for the Northern District of California, San Jose Division | May 23, 2019 | 2019 U.S. Dist. LEXIS 88207

9. FTC v. Qualcomm Inc., 2019 U.S. Dist. LEXIS 86219

United States District Court for the Northern District of California, San Jose Division | May 21, 2019 | 2019 U.S. Dist. LEXIS 86219

10. Life Savers Concepts Ass'n v. Wynar, 2019 U.S. Dist. LEXIS 83186

United States District Court for the Northern District of California, San Jose Division | May 16, 2019 | 2019 U.S. Dist. LEXIS 83186

11. Gaspard v. Breakfast Toms, 2019 U.S. Dist. LEXIS 82296

United States District Court for the Northern District of California, San Jose Division | May 15, 2019 | 2019 U.S. Dist. LEXIS 82296

12. DeGeorge v. Mindoro, 2019 U.S. Dist. LEXIS 82295

United States District Court for the Northern District of California, San Jose Division | May 15, 2019 | 2019 U.S. Dist. LEXIS 82295

13. Song v. Drenberg, 2019 U.S. Dist. LEXIS 76433

United States District Court for the Northern District of California, San Jose Division | May 6, 2019 | 2019 U.S. Dist. LEXIS 76433

14. Black v. Irving Materials, Inc., 2019 U.S. Dist. LEXIS 76418