PLACER COUNTY SUPERIOR COURT
FRIDAY, CIVIL LAW AND MOTION
DEPARTMENT 1
COMMISSIONER CHRISTINE S. DEHR
TENTATIVE RULINGS FOR NOVEMBER 20, 2026 AT 8:30 A.M.

These are the tentative rulings for the **FRIDAY, NOVEMBER 20, 2026 at 8:30 A.M.**, civil law and motion calendar. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by **4:00 p.m., THURSDAY, NOVEMBER 19, 2026**. Notice of request for argument to the court must be made by calling (916) 408-6481. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date and approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.

NOTE: PARTIES MAY REQUEST A REMOTE APPEARANCE FOR ORAL ARGUMENT. (PLACER COURT LOCAL RULE 10.24.) More information is available at the court's website: www.placer.courts.ca.gov**.**

Except as otherwise noted, these tentative rulings are issued by **COMMISSIONER CHRISTINE S. DEHR**. If oral argument is requested, it shall be heard at **8:30 a.m.** in **DEPARTMENT 1** located at the Historic Auburn Courthouse, 101 Maple Street, Auburn, California.

1. S-CV-0046474 MCMINDES, TIFFANY v. STRATULEA, IGOR

These tentative rulings are issued by the **Honorable Suzanne I. Gazzaniga**. If oral argument is timely requested, it will be heard on **Tuesday, November 24, 2026 at 3:30 p.m. in Department 43**.

Motion to Strike or Tax Costs

Defendant is advised the notice of motion must include notice of the court's tentative ruling procedures. (Local Rule 20.2.3(C).)

Defendant moves to strike or tax costs $425,691.42 of the $480,382.69 of costs claimed in plaintiff's August 10, 2026 costs memorandum. Plaintiff opposes the motion.

Preliminarily, plaintiff did not file the itemized worksheet in support of the August 10, 2026 costs memorandum until September 14, 2026. As it appears from the

content of defendant's motion that defendant had reviewed the worksheet prior to filing his motion and because he had ample notice of the filing of the worksheet prior to the end of the briefing schedule, this court intends to consider that worksheet.

"Except as otherwise expressly provided by statute, a prevailing party is entitled as a matter of right to recover costs in any action or proceeding." (Code Civ. Proc., § 1032, subd. (b).) A "prevailing party" is defined to include "the party with a net monetary recovery." (Code Civ. Proc., § 1032, subd. (a)(4).) Code of Civil Procedure section 1033.5 specifies allowable costs and prohibited costs. (Code Civ. Proc., § 1033.5, subds. (a) [allowable costs], (b) [disallowed costs].) Costs neither allowed nor disallowed "may be allowed or denied in the court's discretion" provided they are "reasonably necessary to the conduct of the litigation rather than merely convenient or beneficial to its preparation" and "reasonable in amount." (Code Civ. Proc., § 1033.5, subds. (c)(4), (c)(2)–(3).) "If the items appearing in a cost bill appear to be proper charges, the burden is on the party seeking to tax costs to show that they were not reasonable or necessary." (*Ladas v. Cal. State Auto. Assn.* (1993) 19 Cal.App.4th 761, 774.) "On the other hand, if the items are properly objected to, they are put in issue and the burden of proof is on the party claiming them as costs." (*Id.* at pp. 774–76.) When the reasonableness of particular items is challenged, conclusory allegations do not satisfy the objecting party's burden. (*Jones v. Dumrichob* (1998) 63 Cal.App.4th 1258, 1266.) Here, as the jury found in favor of plaintiff as against defendant and awarded $675,000 in damages, plaintiff is the prevailing party in this action and entitled to recover costs against defendant.

Item 8, Expert Fees ($107,248.98) and Interest ($235,602.74)

Defendant contends expert fees and interest are not recoverable in this case because they are both dependent on a Code of Civil Procedure section 998 offer that was facially invalid. A Section 998 offer "shall include a statement of the offer, containing the terms and conditions of the judgment or award[.]" (Code Civ. Proc., § 998, subd. (b).) An offer must be sufficiently definite to let the offeree evaluate its worth and decide whether to accept it, and any ambiguity is strictly construed against the offeror. (*Covert v. FCA USA, LLC* (2022) 73 Cal.App.5th 821, 832–33.) The court determines the validity of a 998 offer "as of the date the offer was served. [Citations.]" (*Id.* at p. 732, citations and internal quotation marks omitted.) "If an offer made by a plaintiff is not accepted and the defendant fails to obtain a more favorable judgment or award in any action or proceeding . . . , the court . . . , in its discretion, may require the defendant to pay a reasonable sum to cover postoffer costs of the services of expert witnesses, . . . , actually incurred and reasonably necessary in . . . preparation for trial . . . or during trial . . . in addition to plaintiff's

costs." (Code Civ. Proc., § 998, subd. (d).) A plaintiff may also recover interest at a rate of 10% per annum from the date of a Section 998 offer that defendant did not accept and defendant failed to obtain a more favorable judgment. (Civ. Code, § 3291.)

Here, plaintiff's costs memorandum filed August 10, 2026 includes as Exhibit A thereto a Section 998 offer. The offer is from "Plaintiff Tiffany McMindes" as to "Defendant, Igor Stratulea" and is signed by plaintiff Tiffany McMindes' prior counsel of record on February 13, 2023. This 2023 offer makes no mention of plaintiff Taytum McMindes (another plaintiff in the case until notice of settlement as between her and defendant was filed on April 13, 2026), other than to include her name in the case caption, and yet purports to offer to dismiss the entire action with prejudice should defendant accept the offer. It should be noted that counsel signed the 2023 offer as "Attorney for Plaintiff, Tiffany McMindes," rather than on behalf of both plaintiffs. The 2023 offer also indicates, "Plaintiff will execute a release of all respondents[.]" Plaintiff does not further define the release or explain the meaning of "respondents." It appears to this court plaintiff Tiffany McMindes would not have any authorization to offer to dismiss plaintiff Taytum McMindes claims or to execute a release of claims on her behalf and that this offer would therefore not dispose of the entire action against defendant had he accepted it.

Plaintiff presents evidence of a second Section 998 offer in 2025, from "Plaintiff Tiffany McMindes" as to "Defendant, Igor Stratulea" and is signed by plaintiff's current counsel on September 26, 2025. This 2025 offer makes no mention of plaintiff Taytum McMindes other than to include her name in the case caption. The 2025 offer includes that if it "it accepted, the parties will enter into a settlement agreement and a dismissal will be entered against all defendants, including Igor Stratulea, with prejudice." The 2025 offer does not purport to offer to dismiss plaintiff Taytum McMindes' claims, nor does it purport to offer to dismiss "the entire action."

The court determines that the terms of the 2023 offer are not sufficiently certain to have permitted the offeree the opportunity to fairly and fully evaluate the benefit and detriment to him in choosing whether to accept this offer. Plaintiff argues that defendant's claim of uncertainty is not genuine because in 2023 defense counsel communicated not that the offer was uncertain but instead that further investigation was needed. Plaintiff's argument misses the mark, because this court must determine the validity of the 998 offer the date it was served and ambiguities will be strictly construed against the offeror. The 2023 Section 998 offer is invalid and is therefore

ineffective to shift expert fees pursuant to Code of Civil Procedure section 998(d) and provide for post-offer interest pursuant to Civil Code section 3291.

However, the 2025 Section 998 offer is not so fatally flawed. While the offer is in the name of one plaintiff when there were two plaintiffs in the case at the time, the offer to dismiss the "entire action" language is missing from the 2025 offer. Accordingly, the 2025 offer was reasonably certain and defendant did not obtain a more favorable judgment at trial. This shifts post-2025 offer expert fees pursuant to Code of Civil Procedure section 998(d) and provides for post-2025 offer interest pursuant to Civil Code section 3291 at a rate of 10% per annum. The court calculates interest from September 26, 2025 (the date of the 2025 offer) through August 10, 2026 (the date the costs memorandum was filed) as $58,808.21. All other interest is ordered stricken.

Expert fees that predate September 26, 2025 (the date of the 2025 offer) shall be stricken, unless they were costs ordered by the court pursuant to Code of Civil Procedure section 1033.5(b)(1). A review of the court's file reveals plaintiffs' experts were not court ordered. The post-2025 offer expert costs amount to $90,412.73. All other expert costs are stricken as not recoverable.

As to the $90,412.73 in expert witness costs that are recoverable, they still must be reasonably necessary to the prosecution of the action and in a reasonable amount. Defendant challenges and plaintiff concedes the $46 line item for copying records; that $46 is taxed. Defendant challenges the reasonableness of many line items for witness fees, including that Dr. Kasimian billed a total of $58,221.49, which includes $33,250 for a single day of trial testimony on April 28, 2026 with eight additional hours for trial preparation. The court's minutes from April 28, 2026 reveal Dr. Kasimian took the stand at 9:23 a.m. and was excused at 3:46 p.m., with a lunch break from 11:37 a.m. to 12:55 p.m. The amount of fees claimed for Dr. Kasimian's approximately five hours of testimony and eight hours of trial preparation seem excessive, warranting a reduction. The court taxes item 8 an additional $15,000. The remaining line items of recoverable costs appear reasonable.

Based on the foregoing, the court orders stricken item 8 expert fees in the amount of $31,882.25 and interest in the amount of $176,794.53.

The court now turns its attention to the other costs defendant challenges.

Item 4, Deposition costs (at least $16,321.85)

Deposition costs are allowable costs. (Code Civ. Proc., § 1033.5, subd. (a)(3).) Defendant challenges duplicate invoices for Veritext, which plaintiff concedes in the amount of $1,688.50; this amount is taxed. Defendant challenges fees to depose opposing experts as disallowable fees. However, as the depositions postdate the 2025 Section 998 offer, the costs are recoverable. Defendant challenges costs associated with a late cancellation as not reasonably necessary to the prosecution of the action. The court agrees and costs are taxed in the amount of $705. Defendant challenges "deposition / reporting services" claimed in item 4 on February 2, 2026, April 13, 2026, and April 22, 2026, which are the dates for motions in limine and trial. Initially, it appeared to the court that these items were just included in item 4 when they should have been included in item 11 (which, in and of itself is not a reason to tax costs). However, in item 11, these dates are replicated with different cost amounts. In item 4, costs of $1,975.71 are claimed for "deposition/reporting services, 2/2/26" and also claimed in item 11 for $575.71. In item 4, costs of $3.670.22 are claimed for "deposition/reporting services, 4/13/26) and also claimed in item 11 for $1,326.80. As these items do not appear proper on their face and plaintiff does not provide a sufficient explanation, the item 4 amounts of $1,975.71 and $1,647.42 are taxed. Defendant also asks the court to tax rush charges for the preparation of defendant's deposition transcript; however, in light of the then-impending trial, it does seem to be a reasonable expense in a reasonable amount.

Based on the foregoing, item 4 is taxed in the amount of $6,016.63.

Item 1, Filing and motion fees ($994.05)

Defendant challenges remote appearance fees and electronic filing fees. Filing and motion fees are allowable costs. (Code Civ. Proc., § 1033.5, subd. (a)(1).) A remote appearance fee is neither allowable nor prohibited, so it may be allowed or denied in the court's discretion. (Code Civ. Proc., § 1033.5, subd. (c)(4).) As remote appearances are commonly used in courts throughout the state and typically result in lower litigation costs generally, the court finds the remote appearance fees to be reasonably incurred and reasonably necessary for the litigation. As to electronic filing costs, electronic filing fees are allowable costs when a court requires electronic filing pursuant to Code of Civil Procedure section 1033.5(a)(14), as Placer County does (Local Rule 10.27(G)). The motion to tax is denied as to item 1.

Item 2, Jury fees

Jury fees are allowable costs. (Code Civ. Proc., § 1033.5, subd. (a)(1), (2).) As these amounts appear in the costs memorandum to be proper charges, the burden is on defendant challenging these costs to show they are not reasonable or necessary. Here, defendant argues that to the extent the jury fees include amounts paid for by defendant or not actually paid by plaintiff, they should be taxed. Defendant falls short of his burden of showing these costs are unreasonable. The motion to tax is denied as to item 2.

Item 5, Service of process ($1,243.57)

Service of process fees are allowable costs. Code Civ. Proc., § 1033.5, subd. (a)(4).) Defendant contends $639.60 is actually a records-retrieval charge for obtaining copies of plaintiff's own medical records. However, this line item appears to pertain to service of either subpoenas duces tecum or deposition subpoenas for business records. This cost appears proper. Defendant also contends four entries for serving subpoenas do not identify the person served or the person effecting service and that costs should only be recoverable if the person was a registered process server. Code of Civil Procedure section 1033.5(a)(4) is not so limited, however, because it permits service of process "by a public officer, registered process server, or other means" and if by other means, then they may be discretionarily allowed. The service of process costs appear proper. The motion to tax is denied as to item 5.

Item 11, Court reporter fees ($811.24)

"Court reporter fees as established by statute" are allowable costs. (Code Civ. Proc., § (a)(11).) Transcripts of court proceedings ordered by the court are allowable costs, but those not ordered by the court are disallowed costs. (Code Civ. Proc., § 1033.5, subds. (a)(9) [allowing "Transcripts of court proceedings ordered by the court"]; (b)(5) [disallowing "Transcripts of court proceedings not ordered by the court"].) The parties agree courts may permit recovery of a reporter's per-diem appearance fee when the parties privately retain a court reporter when one is not provided by the court. Defendant argues the daily charges for court reporting are excessive, without providing any evidence to support that conclusion. Defendant challenges two dates for court reporter costs, February 2, 2026 as the date motions in limine were heard and March 31, 2026, a date for which there was no corresponding hearing. As motions in limine are part of the trial proceedings, the challenge to the February 2, 2026 costs lacks merit. A review of the court's file, however, confirms no hearing occurred on March 31, 2026 and, in fact, that date was a judicial holiday.

Item 11 is taxed in the amount of $253.53 for the March 31, 2026 hearing only.

Item 13, Models, enlargements, and photocopies of exhibits ($50,736.61)

Defendant challenges the entirety of item 13 costs claimed, arguing the costs are unreasonable and were not "reasonably helpful to the trier of fact." "Models, the enlargements of exhibits and photocopies of exhibits, and the electronic presentation of exhibits, including costs of rental equipment and electronic formatting may be allowed if they were reasonably helpful to aid the trier of fact." (Code Civ. Proc., § 1033.5, subd. (a)(13).) Defendant challenges and plaintiff concedes item 13 includes a line item of $36.03 for photocopying jury instructions which is disallowed; this amount is taxed. Otherwise, it appears to the court the trial exhibits were reasonably helpful to the trier of fact during jury trial, were reasonably necessary for the prosecution of the action, and are in a reasonable amount for the type of work performed.

Based on the foregoing, item 13 is taxed in the amount of $36.03.

Item 14, Electronic filing or service ($823.95)

Defendant challenges the entirety of item 14 costs claimed, arguing plaintiff did not itemize all items and therefore they should be taxed in full and that e-filing is a mere convenience for plaintiff's counsel. As explained above for the electronic filing fees in item 1 above, electronic filing fees are allowable costs when a court requires electronic filing pursuant to Code of Civil Procedure section 1033.5(a)(14), as Placer County does (Local Rule 10.27(G).) The motion to tax costs is denied as to item 14.

Item 15, Other ($11,908.43)

Defendant challenges the entirety of item 15 costs claimed as they all pertain to trial counsel's travel expenses for trial (airfare, lodging, rental cars, gas, mileage parking, and meals) and "trial supplies" without further explanation. Travel expenses for trial (as compared to depositions) are not an allowable or disallowable cost, so the court may exercise its discretion to allow or disallow such costs. (Code Civ. Proc., § 1033.5, subds. (c)(4), (c)(2)–(3).) Plaintiff concedes certain items of challenged costs in item 15, such as the Grand Hyatt Indian Wells charge ($1,581.60), January 28, 2025 airfare ($646.84), the May 29, 2026 airfare ($168.40), meals ($143.90), the group dinner ($74.93), trial supplies ($96.89), and airline fees ($32.12); these costs are taxed. Plaintiff claims $435.05 for mileage for eight trips to the airport, but

provides no information about miles traveled for the court to determine reasonableness; this amount is taxed. The court finds the balance of item 15 costs to be reasonably necessary for the prosecution of this action.

Based on the foregoing, item 15 is taxed in the amount of $3,179.73.

Based on the foregoing, the motion to strike or tax costs is granted in part. The court orders stricken interest in the amount of $176,794.53 and costs in the amount of $41,368.17.

Motion for Attorneys' Fees

The motion for attorneys' fees is dropped from calendar as no moving papers were filed with the court.

2. S-CV-0052258 BOOTH, LARRY v. GOFORT POWER INC

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant eBay Inc.'s Petition to Confirm Contractual Arbitration Award

The petition is granted as prayed.

The court confirms the final award entered on August 11, 2026 and enters judgment in accordance with the final award.

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3. S-CV-0053049 ACKERMAN, AMBER v. SUBARU OF AMERICA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion for Attorneys' Fees, Costs, and Expenses

The motion is granted.

The court has carefully considered the number of hours expended along with the hourly rates for comparable work within Placer County and awards $18,310.00 broken down as follows for the following counsel and staff:

NAME	RATE	HOURS	TOTAL
Chad Davis	$425/hr	35.0	$14,875.00
Lisa Tyler (Paralegal)	$150/hr	22.9	$ 3,435.00
TOTAL		57.9	$18,310.00

The court has also carefully considered the costs and finds them to be reasonable.

In sum, plaintiff is awarded $19,928.49, which includes $18,310.00 in attorneys' fees and $1,618.49 in costs.

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4. S-CV-0053326 AA FIRE SYSTEMS, INC. v. SHILES, AARON

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff AA Fire Systems, Inc.'s Motion to Substitute Julia Shiles for Doe 1

Request for Judicial Notice

Plaintiff's request for judicial notice is granted pursuant to Evidence Code section 452.

Ruling on Motion

The motion is granted. (Code of Civil Procedure section 474.)

Julia Shiles is substituted in as defendant Doe 1.

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5. S-CV-0053894 CRAWFORD, COLE v. THE EZRALOW COMPANY

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiffs' Motion for Summary Adjudication

The appearances of the parties are required for the hearing.

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6. S-CV-0055205 TURNER, LEE v. STEFFEY, BILLY

The motion for attorneys' fees is continued to **FEBRUARY 2, 2027 AT 8:30 A.M. in DEPARTMENT 32 to be heard by COMMISSIONER MICHAEL A. JACQUES.**

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7. S-CV-0055677 CONFIDENTIAL v. COLFAX HIGH SCHOOL

The reserved hearing on the motion for dismissal is dropped from the calendar as no moving papers were filed with the court.

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8. S-CV-0056075 K & C INVESTMENTS, INC. v. CHRISTY, THOMAS

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

The reserved hearing for application for right to attach order is dropped from the calendar as no moving papers were filed with the court.

Plaintiff's Application for Right to Attach Order and Order for Issuance of Writ of Attachment as to Defendant Tommy Christy

The application is granted as prayed as to defendant Tommy Christy, also known as, Thomas Christy in the amount of $1,900,000.00. (Code of Civil Procedure section 484.090.)

The court expressly finds that the claim is one where attachment may be issued; plaintiff has established the probable validity of the claim; the attachment is not sought for a purpose other than recovery on the claim; and the amount to be secured by the attachment is greater than zero. (Code of Civil Procedure section 484.090.)

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9. S-CV-0056677 RASMUSSEN, CASEY v. BURNS, CHRISTA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Cross-Defendants James Filippi II and Filippi Law Firm, P.C.'s Motion for Sanctions Pursuant to Code of Civil Procedure section 128.7

The appearances of the parties are required for the hearing.

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10. S-CV-0056838 SKORODUMOVA, DARIIA v. NYACK, INC

The reserved hearing on the motion to vacate order sustaining demurrer is dropped from calendar as no moving papers were filed with the court.

The case management conference set for November 20, 2026 at 9:00 a.m. in Department 1 is VACATED.

An OSC re dismissal is set for **JUNE 25, 2027 at 9:00 A.M. in DEPARTMENT 1**. The clerk shall provide electronic notice to all remaining parties of the OSC hearing date.

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11. S-CV-0057059 TAHOE TRUCKEE EDUCATION ASSOCIATION v. TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES

Petition for Writ of Mandate

The appearances of the parties are required for the hearing.

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12. S-CV-0057276 BMO BANK, NA v. BLACK IRIS PROPERTIES

The reserved hearing on the motion to payoff bank is dropped from the calendar as no moving papers were filed with the court.

The case management conference currently set for November 20, 2026 is VACATED.

A case management conference is set for **DECEMBER 18, 2026 at 8:30 A.M. in DEPARTMENT 1 to be heard in conjunction with the pending motions to be relieved as counsel**.

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13. S-CV-0057375 IPFS CORPORATION OF CALIFORNIA v. LB CARGO

The reserved hearing on the motion to set aside default judgment is dropped from the calendar as no moving papers were filed with the court.

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14. S-CV-0057675 SOLOMON, NATHANIEL v. NOR-CAL PIPELINE SERVICES

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Colette Mahon, Esq. and Lawyers for Employee and Consumer Rights, APC's Motion to be Relieved as Counsel for Plaintiff Nathaniel Solomon

The motion is **continued to December 18, 2026 at 8:30 a.m. in Department 1** to afford counsel an opportunity to file an amended notice of motion. It is noted that paragraph 1 of the notice of motion is incomplete and does not identify counsel and/or counsel's firm that seeks to be relieved.

Counsel may file and serve any amended notice of motion by 12:00 p.m. on November 23, 2026.

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15. S-CV-0057816 ROE, JOHN VCF v. PLACER UNION HIGH SCHOOL DISTRICT

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Placer Union High School District's Demurrer to the Fifth and Sixth Causes of Action in the First Amended Complaint (FAC)

The demurrer is sustained without leave to amend.

The court has carefully read the FAC, giving the pleading a reasonable interpretation while reading the document as a whole and considering each part in its context. (*Speegle v. Board of Fire Underwriters* (1946) 29 Cal.2d 34, 42, superseded by statute on other grounds in *Manufacturers Life Ins. Co. v. Superior Court* (1995) 10 Cal.4th 257, 269.) A review of the fifth and sixth causes of action show that each is deficiently pleaded, failing to allege sufficient facts to support the challenged claims. (Defendant's demurrer pp. 3:12-4:28, 5:2-11, 5:13-22, 5:24-6:7, 6:9-17, 6:19-23, 6:25-7:3; Code of Civil Procedure section 472d.)

Plaintiff is not afforded leave to amend since there has not been a sufficient showing that the defects may be remedied by further amendment. (*Assoc. of Comm. Org. for Reform Now v. Dept. of Indus. Relations* (1995) 41 Cal.App.4th 298, 302; *Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.)

Defendant Placer Union High School District's Motion to Strike the First Amended Complaint (FAC)

The motion to strike is granted without leave to amend. The allegations in the FAC are insufficient to support attorney's fees and statutory penalties as to the moving defendant and plaintiff does not make a sufficient showing that an amendment will remedy these deficiencies.

The phrases "attorney's fees" and "statutory penalties according to law" alleged on page 12, lines 8-9 are stricken in their entirety without leave to amend.

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16. S-CV-0057978 HA, SOPHIA v. SHARANI, JABIR

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant's Motion to Quash

The motion is denied.

There is no proof of service showing the current motion was properly served on plaintiff. Moreover, there is no proof of service of summons filed with the court showing defendant has been served in this action.

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17. S-CV-0058058 MELVIC, BERMEJO v. MERCEDES-BENZ US

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Mercedes-Benz USA, LLC's Petition to Compel Arbitration and Stay Proceedings

The petition is granted as prayed.

The parties are ordered to participate in arbitration pursuant to the terms and conditions of the arbitration agreement.

The current action is stayed pending the parties' participation in arbitration. (9 USC §3; Code of Civil Procedure section 1281.4.)

The civil clerks shall note the pending stay in the court case management system.

The case management conference set for December 11, 2026 is vacated.

An OSC re arbitration is set for **December 17, 2027 at 9:00 a.m. in Department 1**.

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18. S-CV-0058279 LAM, KEI WING v. LAM, BRIAN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiffs' Motion for Preliminary Injunction

The motion is denied.

Plaintiffs have not made a sufficient showing that the balancing of the hardships warrants the issuance of a preliminary injunction or that plaintiffs have a reasonable probability of prevailing on the merits of their claims. (Code of Civil Procedure section 526(a); *Baypoint Mortgage Corp. v. Crest Premium Real Estate etc. Trust* (1985) 168 Cal.App.3d 818, 824; *Robbins v. Superior Court* (1985) 38 Cal.3d 199; *Casmalia Resources, Ltd. v. County of Santa Barbara* (1987) 195 Cal.App.3d 827, 838.)

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19. S-CV-0058784 STONE POINT DE LLC v. WORK, SEAN

Defendant Sean Work's Demurrer to the Complaint

The demurrer is dropped from calendar.

A first amended complaint was filed on November 12, 2026.

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20. T-CV-0002654 HERLEY, JOHN v. SUGAR BOWL CORPORATION

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Specially Appearing Defendant Amanda A. Bryan Trust's Motion to Quash Service of Summons

The motion is denied as premature.

The court case management system does not reflect any proof of service of summons has been filed by plaintiff as to the moving party.

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21. T-CV-0002727 NITHYA, SUBRAMANYANANDA v. MARTIS CAMP CLUB

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on NOVEMBER 20, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion to Compel Further Responses to Request for Production No. 46

The motion is granted in part.

Defendants Martis Camp Club; Martis Camp Community Association; and Martis Camp Community Foundation shall provide a further verified response and responsive documents, without further objections, to plaintiff's request for production no. 46 as modified below:

"All non-privileged COMMUNICATIONS RELATING TO PLAINTIFF **and** this ACTION."

The verified response and responsive documents shall be provided to plaintiff by December 18, 2026.

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